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L A W S

AND

ORDINANCES

OF

NEW NETHERLAND,

1638-1674.

COMPILED AND TRANSLATED FROM THE ORIGINAL DUTCH RECORDS IN THE
OFFICE OF THE SECRETARY OF STATE, ALBANY, N. Y.

By E. B. O'CALLAGHAN.

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STATE OF NEW YORK.

IN SENATE,

ALBANY, April 20, 1867.

Resolved, That the Clerk of the Senate cause to be printed five hundred copies of the Laws and Ordinances enacted by the Director General and Council of New Netherland from 1638 to 1674, translated from the original Dutch Records in the office of the Secretary of State.

By order of the Senate,

JAS. TERWILLIGER, *Clerk*.

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P R E F A C E.

THE States General of the United Netherlands incorporated, in the year 1621, a company, called the West India Company, to which it granted, among other powers, the right to establish Colonies in such parts of America as were not already occupied by other European nations. This Company consisted originally of five branches or Chambers, the principal of which was located in Amsterdam. In virtue of their Charter, the West India Company planted a Colony in the country lying between the Connecticut river and the present State of Maryland, which territory was named, after the parent State, NEW NETHERLAND. The exclusive superintendence of this country was immediately transferred to the Amsterdam Chamber, which exercised supreme government over it until the latter part of the year 1664. It then passed into the possession of the English, by whom it was governed until 1673, when the Province was again recovered by the Dutch, and the government was administered in the name of the States General and the Prince of Orange until the 31st October, 1674. The country was finally surrendered to the English, in accordance with the provisions of the sixth article of the Treaty of Westminster.

The Executive government of New Netherland was, after the first few years, administered, until September, 1664, by a Director General and Council, who exercised the powers of local legislation, subject to the approval or revision of the Amsterdam Chamber of the West India Company. But the laws thus enacted were not to be contrary to, but as far as possible in conformity with, the Laws of Fatherland. And here, at the threshold of this review, it becomes our duty to define what then were these Laws of Fatherland.

Van Leen-
wen's Com-
mentaries,
p. 2.
Van der
Linden's
Institutes,
pp. 8, 53.

The Roman, commonly called the Civil Law, or Code of Justinian, was, originally, the basis of all law in Holland, so modified, however, as to be distinguished in time as the Roman-Dutch Law, according to which all constitutions, ordinances, placards, statutes and customs were to be explained. For it was decreed, that all tribunals in the Province of Holland and Westfriesland, should do justice according to the laws and ordinances of the land, and also according to the privileges and old established customs and usages, and in failure of these, according to the *Written Law*, by which was always understood the Roman Law.

The Feudal law was introduced into the Low Countries as early as the twelfth century, and thence transferred to New Netherland, where divers Colonies or Manors were granted to certain persons called Patroons. But the rights and territories belonging to them were, subsequently, purchased and re-integrated into the public domain, except those of Rensselaerswyck, and Colendonk (now Yonkers), and New Amstel, on the Delaware

PREFACE.

river. This last Colonie was conceded to the City of Amsterdam in 1656.

As by this tenure the Lord held his fief or estate from the Supreme Government, so the Vassal held the usufruct of his property from the Lord, under reciprocal obligation of protection and homage, subject to certain jurisdiction, personal service, tithes, taxes, quarter sales and seigniorial rents; which rents were payable in produce, poultry, &c. In addition to these, the Lord possessed what the French call the *Droit de retrait*, that is, the right to take the immovable property when sold by the tenant at the price stipulated in the sale. This right was conferred in order to protect the proprietor of the Manor against being wronged, by collusive operations, out of his just "Quarter sales." Those Fiefs were hereditary and indivisible, but Patroons in New Netherland had the right to dispose thereof by will. They claimed also High as well as Low Jurisdiction, and in the earlier years the Colonie of Rensselaerswyck had its own executioner, but the right of the Patroon to exercise High Jurisdiction was subsequently denied and rejected. The Colonie of New Amstel, however, did possess and exercise the right to inflict Capital punishment.

The Canon Law was introduced into Holland, contemporaneously with the Roman Law, and governed in ecclesiastical matters and persons, until the time of the Reformation, when it was rejected, except in Testamentary affairs, Matrimonial cases, administration of Oaths and the like. Ecclesiastics were thus deprived of all peculiar authority and ecclesiastical jurisprudence, and ecclesias-

Van Leen-
wen, B. 1.
ch. 1; B. 2.
ch. 14.

Van Leeuwen, p. 3.
Van der Linden,
p. 392.

tical matters were treated according to the law of the church, promulgated in 1591, and subsequently renewed in 1612, and at other times ; that is, first before the Consistory, next before the Assembly and lastly before the Synod. But as in New Netherland there was no Synod, the supervision of the church in this country was entrusted to the Assembly, or Classis of Amsterdam, by whom the Dutch Clergymen were approved and ordained, at the request, or with the consent, of the Chamber of the West India Company at Amsterdam. Thus, that Classis may be considered as having been the Supreme Head of the Dutch Church in New Netherland.

The Reformed Religion, according to the doctrine promulgated by the Synod of Dordrecht, was the established religion of New Netherland, and the magistrates were bound to maintain it against all sectaries. Although English settlers, either of the Presbyterian or Congregational Order, were granted freedom of conscience, and had their churches, yet the right of public worship was denied to all other denominations, if we except Lutherans, who after some struggle were allowed a Minister. Catholics, Baptists, Quakers and Jews were alike ostracised, for none other than those of the Reformed religion, or persons at least well affected toward it, were admissible to office. By the laws of Holland, marriages between Protestants and Catholics, or between Christians and Jews, were subject to grievous penalties, Jews having no privileges except those of Burgherright and Trade. In New Netherland they were even denied that of defending the country in case of danger,

Van Leeuwen, p. 73.
Van der Linden,
pp. 67, 68 :
and *Idem*,
pp. 192, 193,
194.

owing to the "disgust and dislike of the mass of the Citizens to them as fellow soldiers."

The right of Citizenship was restricted, as a general principle, to native born subjects, but by special charters the English settlers on Long Island and, in 1673, in what is now New Jersey, were granted "all and singular the immunities and privileges granted to the Inhabitants of the Province, as if they were natives of the United Belgic Provinces." These included the Dutch Law of Inheritance, in cases of Intestacy. *Infra*, pp. 50, 56, 467, 475.

Such, then, with the custom authorizing a community of goods between married persons, where no antenuptial contract existed, were the fundamental Laws of New Netherland, and the several Courts in that country were specially enjoined to "be particularly careful to observe and cause to be observed the Laws and Statutes of Fatherland," and to govern the Inhabitants conformably thereto.

The Municipal law of the City of Amsterdam was also transferred to this country, the Courts of which were constituted, as much as possible, and the circumstances of the Province allowed, "according to the laudable custom of the City of Amsterdam, in Holland." *Infra*, pp. 396, 403.

It has, indeed, been claimed that the law governing towns or municipalities in New Netherland, was mainly derived from New England, but this claim is entirely opposed by the Laws themselves. The only Law ever derived from New England, was that against "Fugitives from Service," which was engrafted, in the year 1650, on the Laws of New Netherland, by the Treaty of Hartford, whereby it was stipulated that the Eighth Article *Bancroft, Hist. U. S., 2: 305.*

of the Confederation of the United Colonies should be observed also by the Dutch. This Article was as follows :

“ It is also agreed, that if any servant run away from his master into any other of these Confederated Jurisdictions, that in such case, upon the certificate of one magistrate in the jurisdiction out of which the said servant fled, or upon other due proof, the said servant shall be delivered either to his master, or any other that pursues and brings such certificate or proof. And that upon the escape of any prisoner whatsoever, or fugitive for any criminal cause, whether breaking prison, or getting from the officer, or otherwise escaping, upon the certificate of two magistrates of the jurisdiction out of which the escape is made, that he was a prisoner, or such an offender at the time of the escape, the magistrates or some of them of that jurisdiction, where for the present, the said prisoner or fugitive abideth, shall forthwith grant such a warrant as the case will bear for the apprehending of any such person, and the delivery of him unto the hands of the officer, or other person who pursues him. And if there be help required for the safe returning of any such offender, then it shall be granted to him that craves the same, he paying the charges thereof.”

Hazard's
State
Papers, 2: 8.

For many years the only Courts in the Province of New Netherland, of which we have any record, were the Patroon's Court of Rensselaerswyck, and that of the Director General and Council on Manhattan island, the latter of which took

cognizance of actions of debt, whether for small or large amounts, and of criminal cases, from simple assaults to those of murder. It also acted as a Prerogative, or Surrogate Court, and as a Court of Admiralty. In fine, there was nothing too minute and nothing too important for its jurisdiction, and from its decisions there was no appeal. *Infra*, p. 147.

The first Town Court established was that of Hempstead in 1644; that of Gravesend followed in 1645, and that of Breuckelen in 1646. The only Court on Manhattan island up to this time was, as already stated, that of the Director General and Council. But it was found that "in consequence of the increase of population, lawsuits became multiplied, and questions and quarrels of trifling moment occurred, which might be determined and disposed of by arbitrators, but frequently remained undecided, to the prejudice and injury of the people, and to the great expense, loss of time and vexation of contending parties, because the attention of the Council was engrossed by matters of greater importance." A court of Arbitrators, composed of Nine Men, was therefore established in 1647. *Infra*, pp. 43, 55, 56.

Three of these sat in rotation and decided such cases as were referred to them by the Court of the Director and Council, subject, however, to the right of appeal to that court. This board continued until 1653, when New Amsterdam was incorporated and a Court of Schout, Burgomasters and Schepens was erected in that city. These Burgomasters acted as Orphan Masters, or Surrogates, until 1655, when a distinct Orphan Court was erected. *Infra*, pp. 77, 78.

The town of Flushing was planted in 1645, and the inhabitants were authorized to elect a Schout ;
Infra, p. 97. a court of justice was not, however, erected therein until 1648. In 1652, Beverwyck (now Albany),
O'Call. Hist. N. Netherland, 2: 183. was severed from the Colonie of Rensselaerswyck, and a separate court was erected at Fort Orange, with jurisdiction over the first named settlement. This was the only Court on the Hudson river north of Manhattan island, before 1661. In the same year (1652) a bench of justice was granted to Middleburgh (now Newtown, L. I.), and in 1654 the towns of Amesfoort (Flatlands), and Midwout (Flatbush), were allowed a joint Court, which sat at the latter place three-quarters, and in the former town one-quarter of the year, until March, 1661, when each town obtained a separate Bench. In March, 1656, Westchester and Jamaica, then called Rustdorp, were each permitted to elect Magistrates
Infra, pp. 280, 281. "on the same footing and with the same privileges as Middleburgh, Breuckelen, Midwout and Amesfoort." A Town Court was granted to Haerlem in 1660 ; to Bushwyck, Wiltwyck (now Kingston), Bergen and New Utrecht in 1661, and to Staten Island in 1664.

On the conquest of the country in 1664, English laws were introduced and another Judicial system was established. The Town Courts were composed of a Constable and Overseers ; a Court of Sessions was established, to be held by the justices of each of the ridings of Yorkshire, which comprised Long Island, Staten Island and part of Westchester county ; and a Court of Assize, composed of the Governor and Council and justices of
Duke's Laws.

the peace. A Court of Oyer and Terminer also sat occasionally.

On the reduction of New Netherland in 1673, the old system was restored, and an additional Inferior Court was established in what was called the Out district, which was situate on that part of Manhattan Island between the Freshwater, or Collect, and Haerlem. Appeals from this Court lay to the Court of Burgomasters and Schepens of New Orange. Schenectady, also, had a local tribunal, from which appeals lay to the Court of Willemstadt, or Albany. *Infra*, p. 433.

By the charter granted to Patroons in 1629, section twenty, the Inferior Courts in New Netherland had final jurisdiction in civil cases amounting to Fifty guilders (§20) inclusive. In cases beyond that sum, an appeal lay to the Director General and Council. This rule applied to, and limited, the civil jurisdiction of all Town Courts established prior to 1665, except that of New Amstel on the Delaware river, which at first had final jurisdiction, to the amount of One hundred guilders. In 1661 this amount was increased to Six hundred guilders (§240). In 1673, Town Courts were allowed to decide, finally, suits as high as sixty florins (§24); that of the Out district on Manhattan Island, however, had jurisdiction over suits for One hundred florins (§40). An entirely new Court, which may be called a District Court, was now added, having, however, appellate jurisdiction only. It was composed of the Sheriff, and of one Councillor or Magistrate annually appointed from each Town in the district. This Court took cognizance of appeals from the Town Courts in actions to the *Infra*, pp. 7, 8, 44. *Infra*, p. 383.

amount of Two hundred and forty florins (\$96). In cases exceeding that sum, parties were entitled to an appeal to the Governor and Council.

Ibid., pp. 477, 478. For the purposes above set forth, the towns in what is now Kings county formed one district; and those of Queens county, Esopus, Achter Col (or East New Jersey), and the South, or Delaware river constituted each another district. But the Assembly, held at Elizabethtown in November, 1673, invested the District Court of Achter Col with final original jurisdiction over "all actions of debt and damage, as also criminal cases to the value of Twenty pounds." The Elizabethtown Code, which is published, it is believed, now for the first time, was, however, never ratified. The towns in the present county of Suffolk were formed into a separate district, but as the majority of them refused to submit to the Dutch, a District Court was, therefore, never organized in that county.

Van Leeuwen, p. 520; *Ibid.*, p. 4. In criminal cases, the Charter of 1629, section six, granted to Patroons "the chief command and lower jurisdictions" within their respective Colonies. It was claimed, as already observed, that this conferred High jurisdiction, or the right to take cognizance of capital crimes and of offenses subject to corporal punishment. And indeed such right was distinctly conferred on the Town of Hempstead in 1644, for the Court there was empowered to pass sentence "for the deprivation of life, limb, stigmatizing, or burn marking," reserving, however, to the accused, the right of appeal to the Supreme Court. But it was subsequently denied that Colonies were invested with such High

jurisdiction. No criminal jurisdiction seems to have been conferred on the town of Gravesend or Flushing, the Schout, or sheriff, having only the power to suppress disorders, apprehend criminals, and to prosecute the latter before the Director and Council. In 1656, the jurisdiction of the Court of New Amsterdam was so far enlarged as to authorize it to pass sentence of branding and whipping, with power to execute the same if confirmed after appeal. But as a general rule, the jurisdiction of each Inferior Court was confined, in criminal matters, to "Acts, Threats, Fighting or Wounding, Brawls, Slanders, Scolding, Simple drawing of a Knife or Sword," with the right of appeal reserved, in most cases, to the accused. Cases of crime of a higher degree were always referred for trial to the Director and Council.

Intra, pp. 49, 50, 55, 97.

Intra, p. 298.

Intra, pp. 395, 399, 405, 422, 438.

On the reduction of the country, in 1673, by the Dutch, Town Courts continued to be restricted, in criminal matters, to the cases above set forth, but the Courts of Willemstadt (Albany) and New Orange (New York) had power to pronounce sentence, "even unto death inclusive;" but still no sentence of corporal punishment could be executed unless approved by the Governor and Council.

Intra, pp. 436, 437, 513.

The regulation of the internal affairs of the Towns was conferred on the Court of each locality. The magistrates of Hempstead and Gravesend could, with the consent of the free inhabitants, "make and establish such civil Ordinances amongst themselves," as the major part of the said inhabitants should think fitting, for the preservation of the public quiet and peace of these places. The other Towns were authorized to enact laws for the

Intra, pp. 43, 49, 54.

Infra,
pp. 340, 357,
360, 369, 407,
422, 456.

fencing of lands, laying out highways and promotion of agriculture, building churches and school-houses, observance of the Sabbath, and preventing petty offenses, subject in most instances, however, to the approval of the Governor and Council, which had to be obtained previous to their being enforced. But, as already remarked, such Ordinances were not to be contrary to, but as far as possible conformable with, the laws of Fatherland and the Statutes of the Province. In 1663, Town

Infra, p. 446.

Courts were, in addition, empowered to enact laws against the sale of liquor to Indians, within their respective jurisdictions. The local government of Flushing was similar to that of other villages, until 1658. About that time some Quakers had been

Infra,
pp. 338, 339,
340.

harbored and allowed to exercise public worship there. This was declared an infraction of the laws of the Province, for which the town richly deserved to be punished. Accordingly, all future town meetings, unless sanctioned by the Governor and Council, the Sheriff or one of the Magistrates, were prohibited, "as they were seldom productive of good." Instead of such Town meetings, seven persons called Tribunes or Town's men were "once and for all" to be elected, who, with the Sheriff and Magistrates were empowered to make laws for the affairs of the Town, such as for fences, highways and bridges, schools, churches and other public buildings. This law continued in force until the close of 1663.

The Laws enacted by the Director and Council were binding throughout all New Netherland, except such of them as applied exclusively to localities named in the Act. The right of the Director

and Council to exercise jurisdiction within the Colonies of Patroons was, however, called in question in Pavonia as early as 1638, and denied in Rensselaerswyck in 1648. In this latter instance, the Director General and Council having issued a Proclamation for a general Fast, and the performance of public worship in the several churches throughout the Province, it was transmitted to Rensselaerswyck. This was considered an invasion of the rights of the Patroon, the local authorities maintaining that such orders were of no authority unless indorsed by them and executed by their officers, and they protested accordingly against its publication within their limits. The opposition was renewed in 1652, when an Ordinance was sent prescribing the bounds of Fort Orange, publication of which in the Colonie was also refused; and when, in 1654, another Edict was issued to collect an Excise on liquors within one thousand rods of Fort Orange, the authorities of Rensselaerswyck gave orders not to pay the impost. An Ordinance was next issued in 1656, directing all Towns and Colonies to pay the Tenth of their crops, a copy of which was likewise sent to the authorities of Rensselaerswyck, but they refused to publish it, and this difficulty was not settled until 1658, when the Colonie compounded for the Tenth. The authority of the government of the Company was, however, finally acknowledged, and the Ordinances drawn up in the Colonie were submitted, like all other municipal or local Ordinances of importance, for the approval and ratification of the Director General and Council, which had to be obtained before they

N. Y. Col.
MSS. 1: 41.

O'Call. Hist.
N. Nether-
land, 2: 70
73, 178, 304,
308, 310.

Van Leeuwen, pp. 22, 24.

could be enforced. But it was a fixed rule, that no Law or Ordinance was binding upon the Inhabitants of any place, until promulgated where publication was usually made in such place, and afterward posted or placarded.

The Chamber at Amsterdam possessed, as already stated, and, as will be seen by the Notes appended to some of the Ordinances now published, exercised an absolute Veto on the legislation of this country. Not only that, but the Chamber, in many instances, originated and transmitted hither Laws prepared and printed in Amsterdam, and in other cases altered and amended the Ordinances enacted by the Director General and Council, and then returned them so enacted or amended to be put in force here.

Unfortunately none of those Printed Laws are among the Archives of the State. References have been found to other Ordinances and Grants, copies of which, however, are not among the Dutch Records. In order to render this volume as complete as possible, the titles of such Grants and Ordinances are given, accompanied by Notes, in type smaller than that of the Text, explanatory of the nature of the Document and of the circumstances which called it forth. Care has also been taken to translate and append such remarks as the Laws now published elicited from the authorities in Amsterdam.

A full Index is added to this work, which it is hoped will now supply, what has hitherto been a great desideratum, reliable information respecting the Constitution and Laws of this State during the first half century of its existence.

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FREEDOMS AND EXEMPTIONS

Granted by the West India Company to all Patroons, Masters, or Private Persons who will plant Colonies in New Netherland. 7 June, 1629.

[N. Y. Col. Doc. I, 553.]

I. SUCH members of the said Company as may be inclined to settle a Colonie in *New Netherland*, shall be permitted to send, in the ships of this Company going thither, three or four Persons to inspect the situation of the country, provided that they, with the Officers and ship's company, swear to the Articles, so far as they relate to them, and pay for provisions and for passage, going and coming, six stivers per diem; And such as desire to eat in the cabin, twelve stivers, and to be subordinate and give assistance like others, in cases offensive and defensive; And if any Ships be taken from the enemy, they shall receive, pro rata, their proportions with the ship's company, each according to his quality; that is to say, the Colonists eating out of the cabin shall be rated with the Sailors, and those who eat in the cabin with those of the Company's servants who eat at table and receive the lowest wages.

Projectors of Colonies in *New Netherland* may send persons to inspect the country.

Price of Passage to *New Netherland*.

II. Though, in this respect, shall be preferred such persons as have first appeared and desired the same from the Company.

First applicants to be preferred.

III. All such shall be acknowledged Patroons of *New Netherland* who shall, within the space of four years next after they have given notice to any of the Chambers of the Company here, or to the Commander or Council there, undertake to plant a Colonie there of fifty Souls, upwards of fifteen years old; one-

Who are to be acknowledged Patroons of *New Netherland*.

fourth part within one year, and within three years after the sending of the first, making together four years; the remainder, to the full number of fifty persons, to be shipped from hence, on pain, in case of wilful neglect, of being deprived of the privileges obtained. But it is to be observed that the Company reserve the Island of the *Manhattes* to themselves.

The Island of *Manhattes* reserved.

Patroons to have the preference of lands;

and liberty to change the location, if they desire.

IV. They shall, from the time they make known the situation of the places where they propose to settle Colonies, have the preference to all others of the absolute property of such Lands as they have there chosen; but in case the situation should not afterwards please them, or they should have been mistaken as to the quality of the land, they may, after remonstrating concerning the same to the Commander and Council there, be at liberty to choose another place.

Limits of Colonies of Patroons.

V. The Patroons, by virtue of their power, shall and may be permitted, at such places as they shall settle their Colonies, to extend their limits four leagues along the shore, that is, on one side of a Navigable river, or two leagues on each side of a River, and so far into the country as the situation of the occupiers will permit; Provided and conditioned that the Company keep to themselves the Lands lying and remaining between the limits of Colonies, to dispose thereof, when and at such time as they shall think proper, in such manner that no person shall be allowed to come within seven or eight leagues of them without their consent, unless the situation of the land thereabout be such that the Commander and Council, for good reasons, should order otherwise; always observing that the first occupiers are not to be prejudiced in the right they have obtained, other than, unless the service of the Company should require it, for the building of Fortifications, or something of that sort; the command of each Bay, River or Island of the first settled Colonie, remaining, moreover, under the supreme

Proviso.

No one to come within 7 or 8 leagues of Patroons without consent.

Right to build Forts reserved to the Company.

jurisdiction of their High Mightinesses the States-General and the Company: but that on the next Colonies being settled on the same river or island, they may, in conjunction with the first, appoint one or more Deputies in order to consider what may be necessary for the prosperity of the Colonies on the said River and Island.

Colonies
may ap-
point De-
puties

VI. They shall forever possess and enjoy all the Lands lying within the aforesaid limits, together with the fruits, rights, minerals, rivers and fountains thereof; as also the chief command and lower Jurisdictions, fishing, fowling and grinding, to the exclusion of all others, to be holden from the Company as a perpetual inheritance, without it ever devolving again to the Company, and in case it should devolve, to be redeemed and repossessed with twenty Guilders per Colonie, to be paid to this Company, at the Chamber here or to their Commander there, within a year and six weeks after the same occurs, each at the Chamber where he originally sailed from; and further, no person or persons whatsoever shall be privileged to fish and hunt but the Patroons and such as they shall permit. And in case any one should in time prosper so much as to found one or more Cities, he shall have power and authority to establish Officers and Magistrates there, and to make use of the title of his Colonie, according to his pleasure and to the quality of the persons.

Privileges
of Patroons;

High and
Low juris-
diction;
Fishing,
fowling and
milling;

Right of re-
demption;

Appointing
magistrates
and other
municipal
officers;

VII. There shall likewise be granted to all Patroons who shall desire the same, Venia testandi, or liberty to dispose of their aforesaid heritage by testament.

Venia Tes-
tandi; and

VIII. The Patroons may, if they think proper, make use of all Lands, Rivers and Woods lying contiguous to them, for and during so long a time as this Company shall not grant them to other Patroons or private persons.

The use
of con-
tiguous un-
conceded
Lands.

Agents of
Patroons to
be furnished
with In-
structions.

IX. Those who shall send persons over to settle Colonies, shall furnish them with proper instructions in order that they may be ruled and governed conformably to the rule of government made, or to be made, by the Board of the Nineteen, as well in the political as in the judicial government; which they shall be obliged first to lay before the Directors of the respective Chambers.

Colonists
may be sent
out in the
Company's
Ships.

X. The Patroons and Colonists shall be privileged to send their people and effects thither, in ships belonging to the Company, provided they take the oath, and pay to the Company for bringing over the people, as mentioned in the first article and for freight of the goods, five per cent, ready money, to be reckoned on the prime cost of the goods here, in which is, however, not to be included such Cattle and Implements as are necessary for the cultivation and improvement of the lands, which the Company are to carry over without any reward, if there is room in their ships. But the Patroons shall, at their own expense, provide and make places for them, together with every thing necessary for the support of the Cattle.

Cattle and
farming Im-
plements to
be carried
free of
charge.

Patroons
may send
their own
Ships to
New Nether-
land.

XI. In case it should not suit the Company to send any ships, or there should be no room in those sailing thither, then the said Patroons, after having communicated their intentions, and after having obtained consent from the Company in writing, may send their own ships or vessels thither: Provided that, in going or coming, they go not out of their ordinary course, giving security to the Company for the same and taking on board an Assistant to be victualed by the Patroons, and paid his monthly wages by the Company, on pain, for doing the contrary, of forfeiting all right and property they have obtained to the Colonie.

Proviso.

All products
and wares
of the coun-
try to be
brought to
the *Manhattes*
first.

XII. Inasmuch as it is intended to people the Island of the *Manhattes* first, all fruits and wares that

are produced on the lands situate on the *North river*, and lying thereabout, shall, for the present, be brought there before being sent elsewhere, excepting such as are, from their nature, unnecessary there, or such as cannot, without great loss to the owner thereof, be brought there, in which case the owners thereof shall be obliged to give timely notice in writing of the difficulty attending the same to the Company here, or the Commander and Council there, that the same may be remedied as the necessity thereof shall be found to require.

XIII. All the Patroons of Colonies in *New Netherland*, and of Colonies on the Island of *Manhattes* shall be at liberty to sail and traffic all along the coast, from *Florida* to *Terra Neuf*, provided that they do again return with all such Goods as they shall get in trade to the Island of *Manhattes*, and pay five per cent duty to the Company, in order, if possible, that, after the necessary inventory of the Goods shipped be taken, the same may be sent hither. And if it should so happen that they could not return, by contrary streams or otherwise, in such case, they shall, not be permitted to bring such Goods to any other place but to these dominions, in order that, under the inspection of the Directors of the place where they may arrive, they may be unladen, an inventory thereof made, and the aforesaid duty of five per cent paid to the Company here, on pain, if they do the contrary, of the forfeiture of their goods so trafficked for, or the real value thereof.

XIV. In case the ships of the Patroons, in going to, or coming from, or sailing on the coast from *Florida* to *Terra Neuf*, and no further, without our grant, should overpower any prizes of the enemy, they shall be obliged to bring, or cause to be brought, such prize to the Chamber of the place from whence they sailed out, in order to be rewarded by it; the

Exception.

Patroons may trade along the Coast, from *Florida* to *New found-land*;

But must return with cargo to the *Manhattes*,

Unless prevented by stress of weather.

Prizes, how to be disposed of.

Company shall keep the one-third part thereof, and the remaining two-thirds shall belong to them in consideration of the cost and risk they have been at, all according to the orders of the Company.

Additional
trading
privileges of
Patroons.

XV. It shall be also free for the aforesaid Patroons to traffic and trade all along the coast of *New Netherland* and places circumjacent, with such goods as are consumed there, and receive in return for them all sorts of merchandise that may be had there, except Beavers, Otters, Minks, and all sorts of Peltry, which trade the Company reserve to themselves. But the same shall be permitted at such places where the Company have no factories, conditioned that such traders shall be obliged to bring all the peltry they can procure to the Island of *Manhattes*, in case it may be, at any rate, practicable, and there deliver to the Director, to be by him shipped hither with the ships and goods; or, if they should come here without going there, then to give notice thereof to the Company, that a proper account thereof may be taken, in order that they may pay to the Company one guilder for each merchantable Beaver and Otter skin; the property, risk and all other charges remaining on account of the Patroons or owners.

Fur trade
reserved to
the Com-
pany.

Peltries
to be
brought to
the *Manhat-
tes*.

Duty on
Furs.

Freight of
coarse or
bulky
Goods.

XVI. All coarse Wares that the Colonists of the Patroons there shall consume, such as Pitch, Tar, Weed-ashes, Wood, Grain, Fish, Salt, Hearthstone and such like things shall be conveyed in the Company's ships, at the rate of eighteen guilders per last; four thousand weight to be accounted a last, and the Company's ship's crew shall be obliged to wheel and bring the Salt on board, whereof ten lasts make a hundred. And, in case of the want of ships, or room in the ships, they may order it over, at their own cost, in ships of their own, and enjoy in these dominions such liberties and benefits as the Company have granted; but, in either case, they shall be obliged to

pay, over and above the duty of five per cent, eighteen guilders for each hundred of Salt that is carried over in the Company's ships.

Duty on Salt.

XVII. For all wares which are not mentioned in the foregoing article, and which are not carried by the last, there shall be paid one dollar for each hundred pounds weight; and for Wines, Brandies, Verjuice and Vinegar, there shall be paid eighteen guilders per cask.

Freight of non-enumerated articles.

XVIII. The Company promise the colonists of the Patroons that they shall be free from Customs, Taxes, Excise, Imposts or any other contributions for the space of ten years; and after the expiration of the said ten years, at the highest, such customs as the goods pay here for the present.

Colonists to be free from Taxes for 10 years.

XIX. They will not take from the service of the Patroons any of their Colonists, either Man or Woman, Son or Daughter, Man-servant or Maid-servant; and, though any of these should desire the same, they will not receive them, much less permit them to leave their Patroons, and enter into the service of another, unless on consent obtained from their Patroons in writing, and this for and during so many years as they are bound to their Patroons; after the expiration whereof, it shall be in the power of the Patroons to send hither all such Colonists as will not continue in their service, who until then shall not enjoy their liberty. And any Colonist who shall leave the service of his Patroon, and enter into the service of another, or shall, contrary to his contract, leave his service, we promise to do every thing in our power to apprehend and deliver the same into the hands of his Patroon or attorney that he may be proceeded against according to the customs of this country, as occasion may require.

Patroons not to be deprived of any of their Colonists or Servants.

Who, if they run away, are to be apprehended and restored to their Patroons.

XX. From all Judgments given by the Courts of the Patroons for upwards of Fifty guilders, there may

Appeals.

be an appeal to the Company's Commander and Council in *New Netherland*.

Private individuals may take up land on their own account;

XXI. In regard to such Private persons as on their own account, or others in the service of their masters here (not enjoying the same privileges as the Patroons), shall be inclined to go thither and settle, they shall, with the approbation of the Director and Council there, be at liberty to take up and take possession of as much Land as they shall be able properly to improve, and shall enjoy the same in full property either for themselves or masters.

With right of hunting and fowling.

XXII. They shall have free liberty of Hunting and Fowling, as well by water as by land, generally, and in public and private woods and rivers about their Colonies, according to the orders of the Director and Council.

Colonists may erect fisheries and Salt-ponds and have the exclusive right thereto.

XXIII. Whosoever, whether Colonists of Patroons for their Patroons, or free persons for themselves, or others for their masters, shall discover any shores, bays or other fit places for erecting Fisheries, or the making of Salt-ponds, they may take possession thereof, and begin to work on them as their own absolute property, to the exclusion of all others.

Patroons privileged to fish for Cod and trade therewith to *Italy*, etc.

And it is consented to that the Patroons of colonists may send ships along the coast of *New Netherland*, on the Cod fishery, and with the fish they catch, trade to *Italy* or other neutral countries, paying in such cases to the Company a duty of six guilders per last; and if they should come with their lading hither, they shall be at liberty to proceed to *Italy*, though they shall not, under pretext of this consent, or leave from the Company, carry any goods there, on pain of arbitrary punishment, and it remaining in the breast of the Company to put a Supercargo on board each ship, as in the eleventh article.

Duty on Cod fish.

Mines and Minerals on Colonies the property of Patroons.

XXIV. In case any of the Colonists should, by his industry and diligence, discover any Minerals, Pre-

cious stones, Crystals, Marbles or such like, or any Pearl fishery, the same shall be and remain the property of the Patroon or Patroons of such Colonie, giving and ordering the discoverer such premium as the Patroon shall beforehand have stipulated with such colonist by contract. And the Patroons shall be exempt from the payment of duty to the Company for the term of eight years, and pay only for freight, to bring them over, two per cent, and after the expiration of the aforesaid eight years, for duty and freight, the one-eighth part of what the same may be worth.

Patroons
exempt
from Duty
for 8 years.

XXV. The Company will take all the Colonists, as well free as those that are in service, under their protection, and them defend against all foreign and domestic wars and powers, with the forces they have there, as much as lies in their power.

Company to
protect Col-
onists.

XXVI. Whosoever shall settle any Colonie out of the limits of the *Manhattes Island*, shall be obliged to satisfy the Indians for the land they shall settle upon, and they may extend or enlarge the limits of their Colonies if they settle a proportionate number of Colonists thereon.

Indian title
to lands to
be extin-
guished.

XXVII. The Patroons and Colonists shall in particular, and in the speediest manner, endeavor to find out ways and means whereby they may support a Minister and Schoolmaster, that thus the service of God and zeal for religion may not grow cool and be neglected among them, and they shall, for the first, procure a Comforter of the sick there.

Minister,
Schoolmas-
ter and
Comforter
of the Sick
to be pro-
vided.

XXVIII. The Colonies that shall happen to lie on the respective rivers or islands (that is to say, each river or island for itself), shall be at liberty to appoint a Deputy, who shall give information to the Commander and Council of that Western quarter, of all things relating to his Colonie, and further matters relating thereto, of which Deputies there

Colonies to
elect Depu-
ties;

One of
whom to be

changed every 2 years.

Report of Colonies to be made.

Manufacture of Cloths or Stuffs in New Netherland prohibited;

But Slaves to be provided.

Fort on *Manhattes* to be finished.

shall be one altered or changed in every two years; and all Colonies shall be obliged, at least once in every twelve months, to make exact report of their condition and of the lands thereabout to the Commander and Council there, in order to be transmitted hither.

XXIX. The Colonists shall not be permitted to make any woolen, linen or cotton cloth, nor weave any other stuffs there, on pain of being banished, and being arbitrarily punished as perjurers.

XXX. The Company will use their endeavours to supply the colonists with as many Blacks as they conveniently can, on the conditions hereafter to be made, in such manner, however, that they shall not be bound to do it for a longer time than they shall think proper.

XXXI. The Company promise to finish the fort on the Island of the *Manhattes*, and to put it in a posture of defense without delay.

ORDINANCE

Of the Director and Council of New Netherland Prohibiting trade in Furs; Regulating intercourse with Ships in Port; Enjoining due attention on the part of Workmen; Establishing Court days, and prohibiting Immorality. *Passed 15 April, 1638.*

[N. Y. Colonial MSS. IV. 2.]

Preamble.

WHEREAS the Hon^{ble} Director and Council of *New Netherland* have ascertained that many persons, as well Indented Servants as Freemen, are pursuing a private trade in Furs and other irregular courses, in order to prevent any one at any time continuing therein and suffering damage, Therefore the aforesaid Hon^{ble} Director and Council, wishing to provide therefor in time, Have interdicted and forbidden, and Do

hereby interdict and forbid all persons, who are sworn Servants of the Company, be their State, Quality or Condition what it may, from this time forward to carry on any trade in Peltry in any manner whatsoever, on pain of forfeiting all their wages and the claims which the Contraveners have against the Company, together with the confiscation of the merchandise which will be found with them.

Company's
Servants
not to trade
in Furs.

In like manner all Free persons not in the Company's service, shall govern themselves according to the granted Charter,* and are hereby warned not to overstep the same on pain of forfeiting the goods and further of being arbitrarily punished.

Freemen to
be governed
by the Char-
ter.

Moreover, no person belonging to Ships, Yachts and Sloops shall be at liberty to remain on shore at night without the consent of the Hon^{ble} Director, but on the contrary shall return on board by Sundown; in like manner, no Boat, Craft or other Vessel shall go at night from any Ship to the shore, or from the Shore to shipboard; wherefore all Skippers and other Officers are expressly commanded to pay attention hereto, and if any person act to the contrary, he shall be punished according as the Hon^{ble} Director and Council shall think proper.

Sailors not
to remain
on shore
after Sun-
down.

No inter-
course with
Ships at
night;

No person shall be at liberty to go on board of any Ships which may arrive from Sea, without express order from the Hon^{ble} Director.

Nor at any
time with-
out permis-
sion.

All Master carpenters, Overseers of Workmen and all others are expressly commanded to go to and from their work at the fixed hours, and particularly to attend to those under their charge, without any loss of time, under pain of forfeiture of their monthly wages.

Duties of
Overseers
of Work-
men.

Likewise, no Sailors shall refuse to perform any necessary work for the service of the Company; in

Penalty on
Sailors re-
fusing to
work.

* The Charter to the Patroons. *Supra*, p. 1.

case of default, they shall be punished as turbulent and seditious persons.

Court to be held every Thursday.

All persons are hereby, also, notified, in case any question arise, be it Civil or Criminal, that they shall come every Thursday, being the appointed Court day, to make their complaints and to solicit Justice.

Immorality and Crime to be punished.

Furthermore, each and every one must refrain from Fighting, Adulterous intercourse with Heathens, Blacks, or other persons, Mutiny, Theft, False Swearing, Calumny and other Immoralities, as in all this the Contraveners shall, according to the circumstance of the case, be corrected and punished, as an example to others.

Thus done, published and posted in *Fort Amsterdam* on the day and year above written.

ORDINANCE

Of the Director and Council of New Netherland Against Immoderate drinking, and Harboring seamen on shore at night. *Passed 17 May, 1638.*

[N. Y. Colonial MSS. IV. 6.]

Preamble.

WHEREAS the Hon^{ble} Director *William Kieft* and Council of *New Netherland* have observed that much mischief and perversity is daily occasioned by immoderate Drinking, therefore the said Hon^{ble} Director and Council, wishing to provide against the same, have interdicted and forbidden, do hereby interdict and forbid all persons from now henceforth selling any Wine on pain of forfeiting five and twenty guilders and the Wines which will be found in their houses; Excepting only the Store* where Wine can be procured at a fair price and where it will be issued in moderate quantity.

No Wine to be sold,

Except at the Public Store.

* The Company's Store.—Tr.

Also no person shall be allowed to lodge at night or after Sundown any of the Company's servants who are detailed to the Ships or Sloops, unless with the Consent of the Hon^{ble} Director, under a penalty of a like 25gl. and all seafaring persons are Com-manded to repair before Sunset on board the Ship or Sloop where they are detailed and not presume to remain on shore without permission. And whoso-
 ever shall act contrary, shall for the first time be fined two months' wages, and for the second offense shall forfeit all his wages and be dismissed the Com-pany's service.

No Sailors
to remain
on shore at
night with-
out permis-
sion.

Penalty.

Thus done at *Fort Amsterdam* and published the day and year aforesaid.

ORDINANCE

Of the West India Company against Clandestine Trade. *Passed 7 June, 1638.*

[N. Y. Col. MSS. IV. 7.]

The Deputies to the Assembly of the XIX. of the Incorporated West India Company, by virtue of the Charter and the amplification thereof to the Company granted by the High and Mighty Lords States General, Make known :

WHEREAS it has been sufficiently evident, not only before this time but now recently it is publicly appar-ent to all the world, that divers self interested persons in *New Netherland*, indecently violating Our good Ordinances and Commands by their private and clan-destine trade and traffic, have acquired and converted to their own private profit, and deprived the Company of, a large amount of Peltries and Skins and of better condition and quality than those purchased there and sent over for the Company's own account, bartering them for Wares and Cargoes taken by and with them-

Preamble.;;

Grave
frauds com-
mitted in
*New Nether-
land.*

selves, or sent out, in the Company's own ships clandestinely, secretly and without the knowledge of the Company, whereby, on the one hand, the ships are filled and rendered incapable of carrying the entered goods of the Company and others, of the Patroons and Colonists, and on the other hand, in addition, the Company is moreover defrauded in the freight thereof. Thus have they not only in that Country spoiled the Company's trade by paying more for Skins and Peltries than the Company, which they could do, being free from all burthens and charges both of freight and crews, and not having to defray the dayly expence of maintaining so many people, fortifications, and other heavy charges which the Company have to bear there, who in consequence either have received only a few Furs or have been forced to a like advance in price, but also in this country brought the Furs and Peltries into disrepute and caused them to be sold at a lower price; the Muscovy and other traders having sold out of their hands better goods and at a lower figure. Besides this, the Company have reliable information that many have exchanged their poor Furs for the Company's best Furs, or certainly bought up the best for themselves and not for the Company, all to the great and excessive damage and loss to the Company; not once considering the loss, the immense expense incurred by the Company as well for equipments and cargoes as for the support and payment of those very people, the returns wherefrom they have deprived the Company of, and thus placed the State of *New Netherland* in a considerable decay.

Previous
Ordinances
renewed.

In order to provide against this, We, therefore, renewing our previously enacted Ordinances, Edicts and Commands promulgated both by Us here, and there by our Director and Council against the said private trade, have Resolved to Ordain and enact, as

We do hereby Ordain and enact, that, from now henceforth, no persons, of what condition or quality they may be, residing either here or within the limits of *New Netherland*, shall be empowered, either in their own, or in the Company's ships, openly or secretly, under any cover or pretext whatsoever, to convey any wares or merchandizes, in the smallest or largest quantity, thither without the cognizance or knowledge of the Company, on pain of the confiscation of the said Wares, Cargoes and Merchandizes to the Company's profit; and therefore that none of the above described persons shall carry on, at any place, any private trade in Peltries, either by themselves or by others, in any manner either directly or indirectly, on pain of the confiscation of the traded Peltries and arbitrary correction at the discretion of the Company, or of the Director and Council there, and, in addition, of all their Wages and monthly moneys.

No Goods to be exported from or imported into *New Netherland* without being entered, on pain of confiscation.

No private person to trade in Furs.

We charge and command, therefore, our Director and Council of *New Netherland*, and all other Officers, to regulate themselves accordingly, and strictly to execute the tenor hereof, without any connivance, dissimulation or agreement; And in order that no one may plead ignorance, to publish this at the accustomed places, and to cause it to be posted every where around there and, also, in the respective Colonies.

Thus done and published in *Fort Amsterdam*, this 7th of June, Anno 1638.

ORDINANCE

Of the Director and Council of New Netherland, authorising the issuing of Patents to Freemen for their Lands. *Passed 24 June, 1638.*

[N. Y. Col. MSS. IV. 11.]

Patents to be issued.

The Free people having by petition requested Patents of the Lands which they are at present cultivating, the prayer of the Petitioners is granted, on condition that at the expiration of Ten years, after entering on their Plantation, they shall pay yearly to the Company the Tenth of all crops which God the Lord shall grant to the field; also, from this time forth, one couple of Capons for a house and lot.

Tenths established.

Quit rent on House lots.

ORDINANCE

Of the Director and Council of New Netherland, for the Inspection of Tobacco, and drawing up of Legal Instruments. *Passed 19 August, 1638.*

[N. Y. Col. MSS. IV. 16.]

Preamble.

WHEREAS it is considered necessary by the Director and Council of *New Netherland*, to frame an Order respecting the planting of Tobacco, because many Tobacco planters seek only to raise a large crop of Tobacco, without caring much whether it be well cured or properly made, and the good reputation which our Tobacco possesses in other Countries is wholly destroyed thereby; And in order to provide against the same, all persons are, therefore, hereby notified, warned and commanded to make well conditioned Tobacco, carefully to remove all superfluous leaves, and to apply as little water as possible to well cured Tobacco, and even to that which is spun. Also, that all the Tobacco which shall be shipped or sent from *New Netherland*, shall be first brought to the appointed

Rule for the better curing of Tobacco.

Warehouse to be there examined, marked and weighed, and in order, likewise, that the duties of the Company on all exported goods be paid, to wit: Five of every 100 lbs., according to the tenor of the granted Freedoms of the Company; For which purpose We have appointed Inspectors who shall make the examination thereof and receive the Duties thereon, and whosoever shall act contrary hereunto shall forfeit all his Tobacco, and shall be, furthermore, arbitrarily punished.

Tobacco to be inspected and marked.

Export Duty on Tobacco.

Inspectors appointed.

Likewise, that, from now henceforward, no Instruments, whether Contracts, Obligations, Leases or Bills of Sale, or such like Writings, of what nature soever they be, and concerning which any dispute may arise, shall be held valid by the Director and Council, unless they shall be written by the Secretary of this place. Let every one take warning and save himself from damage.

All Legal Instruments to be drawn up by the Provincial Secretary.

Thus done and published in *Fort Amsterdam* this 19th of August, 1638.

ORDINANCE

Of the Director and Council of New Netherland, for the recovery of Public property; protection of private Gardens and Henroosts, and prohibiting persons in the public service quitting the Island of Manhattan without permission. *Passed 25th November, 1638.*

[N. Y. Col. MSS. IV. 25.]

WHEREAS the Director and Council of *New Netherland* have ascertained that there are persons here who seek to enrich themselves with the Company's property and effects, appropriating the same to themselves as if they were their own substance, and Whereas such tends to the prejudice of the Hon^{ble} Company, all persons, therefore, who have yet any property in their hands belonging to the Company, be it great

Preamble.

Public Property to be restored

within eight
days.

Penalty for
retaining
Public prop-
erty.

Reward for
the discov-
ery of those
who plun-
der
Gardens or
steal
Poultry.

Those in the
service of
the Com-
pany not to
leave the
Island of
Manhattan
without
leave.

or small, are warned the same to return within the space of eight days, unless they have purchased it from the former Hon^{ble} Directors, without which proof no excuse shall be admitted ; And if it be hereafter found that any one is in possession of property belonging to the Company, such shall suffer the punishment usually administered to Thieves and Robbers who steal their Lords' effects.

And whereas complaints are made that the Gardens of many persons have been robbed and their Poultry taken away, if there be any one who can give information of the Thieves, he shall be paid by the Hon^{ble} Director five and twenty guilders as a reward, and be pardoned if an accomplice and his name concealed.

Likewise, every one of the Company's servants, of what rank or quality soever he may be, is commanded not to quit the Island of *Manhattan*, without the express permission of the Hon^{ble} Commander. Who-soever shall be found to have acted contrary hereunto shall forfeit three months' Wages.

Thus done in Council and on this date, being the 25th 9ber, published and posted in *Fort Amsterdam*.

ORDINANCE

Of the Director and Council of New Netherland, prohibiting the sale of Firearms, etc., to Indians, and requiring Vessels sailing to or from Fort Orange, the South River, or Fort Hope, to take out clearances.
Passed 31 March, 1639.

[N. Y. Col. MSS. IV. 36.]

Preamble.

WHEREAS the Director General and Council of *New Netherland* have observed that many persons, both Servants of the Company and Inhabitants, have, contrary to the orders and commands of their High Mightinesses the Lords States General and the Incorporated West India Company, presumed to sell to

the Indians in these parts, Guns, Powder and Lead, which hath already caused much mischief, and if no means be adopted by Us here to prevent the same, would hereafter entail nothing else than greater evil; Therefore every Inhabitant of *New Netherland*, be his state, quality or condition what it may, is most expressly forbidden to sell any Guns, Powder or Lead to the Indians, on pain of being punished by Death, and if any one shall inform against any person who shall violate this Law, he shall receive a reward of Fifty guilders.

No Guns
nor ammuni-
tion to be
sold to
Indians.

Penalty

Furthermore, all persons are hereby notified that no one shall undertake to sail with Boats or other Vessels to *Fort Orange*, the *South River*, or *Fort Hope*, without a permit from the Hon^{ble} Director, and on coming thence, bringing with him a clearance from the Commissary residing at the aforesaid place on the part of the Company; And in case it be found that any one has been at the places abovenamed without the aforesaid order, such Vessel and the Wares laden therein shall be confiscated to the use of the Company, and the person shall, in addition, be mulcted in such sum as, according to the merits of the case, shall be deemed proper.

Vessels
trading to
Fort Orange
etc., to take
out clear-
ances.

Penalty for
neglect.

And all our dear and faithful Commissaries who have authority at the places where these presents are sent, are ordered and commanded the same to affix at the usual place, so that their contents may be known to every one and each be on his guard against damage.

Thus done and published in *Fort Amsterdam* this 31st of March, Anno 1639.

ORDINANCE

Of the Director General and Council, for the regulation of the Workmen in the Public Service. *Passed 11 August, 1639.*

[N. Y. Col. MSS. IV. 46.]

Preamble. WHEREAS the Hon^{ble} Director and Council daily observe that many of the Mechanics and Laborers in the Company's service do not perform their bounden duty by working, but spend much time unprofitably; yea, frequently lose whole days, all which tends to the great injury and damage of the Company.

Hours for labor. Every one whom these may concern is hereby notified to repair to his work when the Bell rings, and there to perform his duty until the Bell rings again

Penalty for neglect. to break off, on pain of paying double the loss, for the benefit of the Fiscal and whomsoever it shall behoove.

Overseer of Workmen. Therefore, have We ordained and do hereby appoint *Gillis de Voocht* to be Commissary of the Workmen, and daily to superintend them and continually to go around, and to note those who are in default and report their names to Us.

Done in *Fort Amsterdam* this 11th of August, Anno 1639.

ORDINANCE

Of the Director and Council of New Netherland, fixing the price of Duffels. *Passed 22 September, 1639.*

[N. Y. Col. MSS. IV. 50.]

THE Director and Council hereby give notice to all the Inhabitants within our Limits that they are forbidden to take less than 12 skepels of Maize from the Indians for a coat of Duffels, until a fixed price for the Heathens shall be established by the Director. All persons shall regulate themselves accordingly. Whosoever will be found acting contrary hereunto shall pay a fine of 100 florins and forfeit during his life the privilege of trade. Let every one guard against damage.

Price to be paid for a coat of Duffels.

Penalty.

ORDINANCE

Of the Director and Council of New Netherland, against Trespassing. *Passed 15 March, 1640.*

[N. Y. Col. MSS. IV. 58.]

WHEREAS many complaints are daily made to us of the damage and loss done to the Cornfields by the Goats and Hogs, against which Fences and Rails are of no avail, which tends to the injury of the cultivation of Corn and to the Company's damage; And whereas throughout the world the custom is for those who own Cattle to herd or take care of them, so in case any Goats or Hogs are found in the Cornfields, there shall be paid for the first time for each Goat or Hog, ten stivers; for the second time one guilder, and for the third time 40 stivers, and in addition the Farmer's damage shall be made good before the Goats are released.

Preamble.

Penalty for Trespassing.

Thus done in our Council and published in *Fort Amsterdam* in *New Netherland*, this 15th of March, Anno 1640.

ORDINANCE

Of the Director and Council of New Netherland, against Trespasses
on Indian Maize Lands. *Passed 9th May, 1640.*

[N. Y. Col. MSS. IV. 60.]

Proa

WHEREAS many complaints are daily made by the Indians that their Corn hills are trampled under foot and uprooted by Hogs and other Cattle, and consequently great damage is done when the Maize is growing, whence it will follow that the Maize will be dear at the time of the Harvest and our good people suffer want, the Indians be incited to remove and to entertain feelings of hatred against our Nation, and thus through our perverseness, combine the one with the other, which we are most expressly ordered by the Hon^{ble} Lords Directors to prevent; Wherefore, having duly weighed the matter, We the Director and Council of *New Netherland*, hereby charge and command all our Inhabitants, whose lands lie contiguous to Indian plantations, to take due care of their Horses, Cows, Hogs, Goats and Sheep, and prevent them, by fences or otherwise, damaging the corn of the Indians, on pain of making good the damage, and of incurring the penalty, payable to the Fiscal, according to the Edict published on the 15th March last. Let every one be warned and take heed against loss.

Trespassing
on Indian
cornfields
prohibited.

Damages
to be made
good.

Thus done and ordained on the Island of *Manhattan*, in *Fort Amsterdam*, the 9th May, 1640.

ORDINANCE

Of the Director and Council of New Netherland, providing for the Arming and mustering of the Militia in case of danger. *Passed 9 May, 1640.*

[N. Y. Col. MSS. IV. 61.]

THE Hon^{ble} Director and Council have considered it advisable to ordain that the Inhabitants residing at and around *Fort Amsterdam*, of what state, quality or condition soever they be, shall each provide himself with a good gun and keep the same in good repair and at all times ready and in order; and as they live at a distance the one from the other, every warned person is placed under his Corporal in order that in time of danger he may appear at his post with his gun. Should it happen, which God forbid, that any mischief occur either from enemies or traitors at night, the people will be notified by the discharge of three cannon fired in quick succession; and if by day, means will be found to give warning to every one, who is commanded thereupon to repair instantly to his Corporal at the place appointed and then to adopt such measures as the exigency of the case shall require, on pain of being fined Fifty guilders.

Inhabitants
to provide
themselves
with Guns.

Signals in
case of
danger.

Penalty.

ORDINANCE

Of the Director and Council of New Netherland, against Fugitives from Service, and providing for the proper drawing up of Legal Instruments. *Passed 9 August, 1640.*

[N. Y. Col. MSS. IV. 73.]

Preamble.

WHEREAS many Servants daily run away from their Masters, whereby the latter are put to great inconvenience and expense ; the Corn and Tobacco rot in the field and the whole Harvest is at a stand still, which tends to the serious injury of this country, to their Masters' ruin and to bring the magistracy into contempt, We, therefore, command all farm and house Servants faithfully to serve out their time with their Masters according to their contracts and in no manner to run away, and if they have any thing against their Masters, to come to Us and make application to be heard in due form of Law, on pain of being punished and of making good all losses and damages of their Masters and serving double the time they may lose.

Servants
forbidden to
run away.

Penalty.

We do, also, forbid all inhabitants of *New Netherland* to harbor or feed any of these Fugitive Servants under the penalty of Fifty guilders, for the benefit $\frac{1}{3}$ for the Informer; $\frac{1}{3}$ for the New Church and $\frac{1}{3}$ for the Fiscal.

Fugitives
from Ser-
vice not to
be har-
bored.

Legal
Instru-
ments not
drawn up
by the Sec-
retary, void.

And Whereas many abuses daily occur in consequence of the writing of Promissory notes and other instruments by Private persons, We do therefore declare from this date annulled all Obligations and other Instruments which shall not be drawn up by the Secretary here or by other person appointed hereunto.

ORDINANCE

Of the Director and Council of New Netherland, against tapping Beer, &c. during Divine service, or after Ten o'clock at night; against using any but the Amsterdam measure, and for fixing the price of Beer. *Passed 11 April, 1641.*

[N. Y. Col. MSS. IV. 90.]

WHEREAS complaints have been made to us that some of the Inhabitants here are in the habit of Tapping Beer during Divine Service, and of making use of small foreign Measures, which tends to the dishonor of Religion and the ruin of this State, We being desirous to make provision herein, do, therefore, Ordain that no person shall attempt to tap Beer or any other Strong drink during Divine service, or to use any other Measure than that which is in common use at *Amsterdam* in *Holland*, or to tap for any person after Ten o'clock at night; neither sell the *Vaen*, or four pints, at a higher price than Eight Stivers; all on pain of forfeiture of the Beer and Five and Twenty guilders for the benefit of the Fiscal, with three months' exclusion from the privilege of Tapping.

Preamble.

No Liquors
to be sold
during Di-
vine Service
or after ten
o'clock

Amsterdam
Measures
only to be
used.

Penalty.

ORDINANCE

Of the Director and Council of New Netherland, regulating the Currency of Wampum. *Passed 18 April, 1641.*

[N. Y. Col. MSS. IV. 90.]

Preamble. WHEREAS very bad Wampum is at present circulating here, and payment is made in nothing but rough, unpolished stuff which is brought hither from other places, where it is 50 per cent cheaper than it is paid out here, and the good, polished Wampum, commonly called *Manhattan* Wampum is wholly put out of sight or exported, which tends to the express ruin and destruction of this Country; In order to provide in time therefor, We do, therefore, for the public good, interdict and forbid, all persons of what state, quality or condition soever they may be, to receive in payment, or to pay out, any unpolished Wampum during the next month of May except at Five for one stiver and that strung, and then after that Six beads for one stiver. Whosoever shall be found to have acted contrary hereunto, shall provisionally forfeit the Wampum which is paid out and 10 guilders for the Poor, and both payer and payee are alike liable. The well polished Wampum shall remain at its price as before, to wit, Four for one stiver, provided it be strung.

Rate of unpolished.

And well polished Wampum.

FREEDOMS AND PRIVILEGES

Granted by the Director and Council of New Netherland to English Settlers. 6 June, 1641.

[N. Y. Col. MSS. IV. 98.]

WHEREAS a considerable number of respectable Englishmen with their Clergyman, have applied to us for permission to settle here and to reside under us, and requested that some Articles might be offered to them, We have therefore Resolved to communicate the following Articles to them.

Preamble.

I. They shall be bound to take the Oath of Allegiance to the Noble Lords States General and the West India Company under whose protection they will reside.

English Settlers to take the Oath of Allegiance;

II. They shall enjoy free exercise of Religion.

To have Religious freedom;

III. With regard to Political Government; if they desire a Magistracy, they shall have the privilege of nominating three or more persons from the fittest among them, from which nomination the Governor of *New Netherland* shall make the election. Which Magistrate shall be empowered in all Civil Actions to adjudge definitively as high as Forty Guilders; beyond that an appeal may be made to the Governor and Council of *New Netherland*; and in Criminal cases, to Corporal punishment (*tot bloetlaten toe*).

And to nominate their own Magistrates.

Jurisdiction of their Courts.

IV. They shall not be at liberty to erect any Forts, without permission.

Not to erect Forts.

V. The land shall be shown to them free of expense, and they shall cultivate it ten years in full propriety, without paying any rent, and at the expiration of the said Ten years they shall pay the Tenth.

To be exempt from Tenth for ten years;

To be
allowed free
hunting and
fishing.

VI. They shall enjoy free hunting and fishing and freedom of Trade, according to the privilege of *New Netherland*.

To use
Dutch
Weights and
Measures.

VII. They shall be bound to make use of the Weights and Measures of the Country.

ORDINANCE

Of the Director and Council of New Netherland, offering a reward for the Heads of Raritan Indians. *Passed 4 July, 1641.*

[N. Y. Col. MSS. IV. 97.]

Preamble.

Indian murders on
Staten Island.

Friendly
Indians
called on to
take up
arms

Rewards for
heads of
Raritan
Indians.

WHEREAS the Indians of the *Raritan* are daily exhibiting more and more hostility, notwithstanding they have, by a messenger, solicited peace of Us which we consented to, and permitted him to depart unmolested, on the promise to notify unto Us, within twelve days, the resolution of his Chief, which has not been done; the same Indians, who had experienced every friendship at our hands, having in the meantime, on the plantation of Mess^{rs} *De Vries* and *David Pietersen*, partners, situate on *Staten Island*, murdered four Tobacco planters, and set fire to the dwelling and tobacco house, whereby the Planters, Farmers and other outlying remote settlers stand in great danger of life and property, which We, under existing circumstances, in consequence of the density of the forest and small number of men, cannot prevent; We have, therefore, esteemed as the best means and considered it expedient to encourage the Indians, our allies hereabout, to take up arms, in order thus to cut off any stray parties who must pass through their territory so that they cannot accomplish any thing against our Bouweries and plantations without danger, or at least without being discovered; And in order to incite them the more, we have promised them, Ten fathoms of Wampum for each head of the above mentioned

Raritans, and 20 fathoms of Wampum for every head of the Indians who have most barbarously murdered our people on *Staten Island*.

ORDINANCE

Of the Director and Council of New Netherland, establishing an annual Fair at New Amsterdam. *Passed 30th September, 1641.*

[N. Y. Col. MSS. IV. 101.]

BE it known hereby to all persons, that the Director and Council of *New Netherland* have ordained that henceforth there shall be held annually at *Fort Amsterdam* a Cattle Fair on the 15th of October, and a fair for Hogs on the 1st of November. Whosoever hath any thing to sell or to buy can regulate himself accordingly.

Fairs established.

When to be held.

Done 30th September and affixed at said Fort.

ORDINANCE

Of the Director and Council of New Netherland, prohibiting the purchase of produce raised near Fort Hope. *Passed 3d April, 1642.*

[N. Y. Col. MSS. IV. 119.]

WHEREAS our territory which we purchased, paid for and took possession of, provided in the year 1633 with a Blockhouse, Garrison and Cannon, on the Fresh River of *New Netherland*, a long time before any Christians were in the said River, hath now, for some years past, been forcibly usurped by some Englishmen and given the name of *Hartford*, notwithstanding we duly protested against them; who, moreover, treat our people most barbarously, beating them with clubs and mattocks, even unto the shedding of blood; cut down our corn; sow the field by night which our people ploughed by day; haul home by force the hay which was mowed by our people; cast

Preamble.

English usurp the Fresh River,

And ill treat the Dutch

Notwith-
standing
kind acts of
the latter.

our plough into the river, and forcibly impound our horses, cows and hogs, so that no cruelty, insolence nor violence remains which is not practiced toward us, who, yet, have treated them with all moderation; Yea, even at great hazard, have redeemed and sent back home, their Women, who were carried off by the Indians; And although we are commanded by the States General, his Highness of Orange and the Hon^{ble} West India Company to maintain our Limits and to assert our Right by every means, which We, also, have the power to do, yet rather have We chosen patiently to suffer violence, and to prove by deeds that we are better Christians than they who go about there clothed with such outward show, until in its time the measure shall be entirely full.

Inhabitants
of *New
Netherland*
not to pur-
chase pro-
duce raised
near *Fort
Hope*.

Therefore, our order and command provisionally is, and We do hereby Ordain that our Inhabitants of *New Netherland* be most expressly forbidden from purchasing, either directly or indirectly, by the third or second shipment, or in any manner whatsoever, any produce which has been raised on our land near *Fort Hope* on the Fresh River, on pain of arbitrary correction, until their rights, are acknowledged and the sellers of the produce which shall arrive from our *Fresh River* of *New Netherland* and from *New England* shall first declare upon oath where the produce has been grown, whereof a certificate shall be given them, and thereupon every one shall be at liberty to buy and to sell. All persons are hereby warned, so that no one may hereafter plead ignorance, and let all be on their guard.

Owners of
*New
England*
produce to
declare on
Oath where
it was
grown.

Thus done in Council and published at *Fort Amsterdam*.

ORDINANCE

Of the Director and Council of New Netherland, imposing certain
 Import and Export Duties. *Passed 3d April, 1642.*
 [N. Y. Col. MSS. IV. 130.]

WHEREAS all the subjects of the High and Mighty Preamble.
 Lords States General, who pursue their trade or commerce here in *New Netherland*, are bound to pay, before they can ship their goods, a duty of Ten per cent to the West India Company in *Holland*, which was granted said Company by their High Mightinesses in consideration of the great War which the Hon^{ble} West India Company is carrying on and the heavy expense it has to bear; And the Hon^{ble} Directors have learned that many goods are brought hither from divers places which have not paid the Duty, which tends to the serious injury of the Hon^{ble} Company and the great damage of the good Inhabitants of *New Netherland* who have to bear a heavier burthen than even Foreigners; Wherefore we are peremptorily commanded to collect said Duty here from all imported Goods which have not paid any thing in *Holland, Brazil, Guinea* or the *West Indies*, and from exported Goods what is authorized by the Freedoms granted to this Country.

Therefore, we have Ordained and enacted, as we do hereby Ordain and enact, that from now henceforth all persons who import here any Wares for sale, shall enter their Goods and pay a just Tenth part either in the kind of Wares or in Money, and on the exported Goods, according to the List set forth in the Freedoms, to the Receiver of the Company's revenues, or whomsoever shall be appointed thereto, on pain of the forfeiture of said goods not only by the seller but by the purchaser or the parties in whose hands they may be found.

Import
Duty ten
per cent,
and

An Export
duty according to the
Freedoms,
to be
collected.

Penalty.

Thus done, published and affixed in *Fort Amsterdam*. Dated as above.

ORDINANCE

Of the Director and Council of New Netherland, against harboring
Fugitive Servants. *Passed 13 April, 1642.*

[N. Y. Col. MSS. IV. 122.]

Preamble.

WHEREAS many persons come here in *New Netherland* daily, both from *New England* and *Virginia*, who frequently carry their passports under foot and have run away from their Masters, and afterwards occasion much trouble here, as appears by several instances within a short time; Therefore, to prevent all disorder, We have interdicted and forbidden, as we do hereby most expressly interdict and forbid, all our good inhabitants here, from this time henceforward lodging any Strangers in their houses, or furnishing them more than one meal and harboring them more than one night, without first notifying the Director and having their names recorded, so that it may be known what sort of people are here, and whence they come; upon the penalty of Fifty guilders and being responsible for what the person whom they harbor may commit. Let every one be warned hereby and save himself from damage.

No Strangers to be harbored.

Names of Strangers to be recorded.

Penalty for neglect.

Thus done in Our Council and published in *For Amsterdam*. Dated as above.

ORDINANCE

Of the Director and Council of New Netherland against drawing a Knife and inflicting a Wound therewith. *Passed 11 July, 1642.*

[N. Y. Col. MSS. IV. 129.]

WHEREAS we hear daily, God help us, of many Preamble.
accidents, caused for the most part by quarrels,
drawing of knives and fighting, and the multitude
of Taverns and low Groggeries, badly conducted,
together with the favorable opportunities which all
turbulent persons, Murderers and other Lawless peo-
ple have for running away and consequently escaping
condign punishment, wherein we would willingly
make provision so as to prevent, as much as possible,
all harm ;

Therefore, We hereby Ordain, decree and enact, Drawing of
Knives and
wounding
prohibited.
agreeably to the Ordinance made last year in *Holland*
by the High and Mighty Lords States General, that
no one shall presume to draw a knife much less to
wound any person, under the penalty of fl.50, to be Penalty.
paid immediately, or, in default, to work three months
with the Negroes in chains ; this, without any respect
of persons. Let every one take heed against damage
and be warned.

Thus done in Council and published. Dated as
above.

ORDINANCE

Of the Director and Council of New Netherland against Defaults.

Passed 16 October, 1642.

[N. Y. Col. MSS. IV. 143.]

Preamble. WHEREAS much loss of time occurs in Suits on the part of defendants, who for trifling reasons neglect to appear, thus leaving Default to be entered against them, which tends to bring the Court into disrepute, We, therefore Ordain, as we do hereby Ordain, that

Penalty for Defaults from now henceforth there shall be paid for the 1st default 6 stivers ; for the 2d default 12 stivers, and for the 3d and last default, condemnation.

Thus done in Council. Dated as above.

ORDINANCE

Of the Director and Council of New Netherland against selling intoxicating Liquors to Indians. *Passed 18 June, 1643.*

[N. Y. Col. MSS. IV. 169.]

Preamble. WHEREAS large quantities of strong liquors are daily sold to the Indians, whence serious difficulties have already arisen in this Country, and further calamities, it is apprehended, will be occasioned ; in order to prevent the same, as much as possible, We, the Director General and Council of *New Netherland* do, therefore, forbid all Tapsters and other Inhabitants, from now henceforth, to sell, directly or indirectly, by themselves or others, any liquors to Indians. If

No liquor to be sold to Indians. any one shall be found to have acted contrary hereunto, he shall for the first offence forfeit fl.25 ; for the second offence, double, and for the third time be arbitrarily corrected.

Penalty.

Thus done and published in *Fort Amsterdam* on the day and year aforesaid.

ORDINANCE

Of the Director and Council of New Netherland against harboring
Fugitive Servants. *Passed 18 June, 1643.*

[N. Y. Col. MSS. IV. 169.]

This is a Renewal of the Ordinance of the 13 April, 1642. *Supra, p. 32.*

ORDINANCE

Of the Director and Council of New Netherland regulating the
Burgher guard. *Passed 19 November, 1643.*

[N. Y. Col. MSS. IV. 180]

1. If any one, on the Burgher guard, take the name
of God in vain, he shall forfeit for the first offence 10
stivers ; for the second, 20 stivers, and for the third
time, 30 stivers.

Penalty for
taking the
name of
God in vain

2. Whosoever on the Burgher guard speaks ill of a
comrade, shall forfeit 30 stivers.

For traduc-
ing a Com-
rade;

3. Whosoever comes fuddled or intoxicated on
guard, shall, for each offence, pay 20 stivers. Who-
soever is absent from his watch, without lawful reason,
shall forfeit 50 stivers.

For being
drunk on
guard,

4. After the watch is duly performed, and daylight
is come, and the reveille beaten, whosoever discharges
his gun or musket, without orders of his Corporal,
shall pay one guilder. The 16 9ber, 1643.

And for
discharging
a musket
after day-
break.

A C T .

Of the Director and Council of New Netherland emancipating certain
Negro Slaves therein mentioned. *Passed 25 February, 1644.*

[N. Y. Col. MSS. IV. 182.]

Preamble.

Petition of
certain
Negroes to
be liberated
from
Slavery.

WE, *William Kieft* and Council of *New Netherland* having considered the petition of the Negroes named *Paulo Angola, Big Manuel, Little Manuel, Manuel de Gerrit de Reus, Simon Congo, Anthony Portugis, Gracia, Peter Santomee, Jan Francisco, Little Anthony, Jan Fort Orange*, who have served the Company 18 a 19 years, to be liberated from their servitude, and set at liberty, especially as they have been many years in the service of the Hon^{ble} West India Company here, and have been long since promised their Freedom; also, that they are burthened with many children so that it is impossible for them to support their wives and children, as they have been accustomed to do, if they must continue in the Company's service; Therefore, We the Director and Council do release, for the term of their natural lives, the above named and their Wives from Slavery, hereby setting them free and at liberty, on the same footing as other Free people here in *New Netherland*, where they shall be able to earn their livelihood by Agriculture, on the

Said
Negroes and
their Wives
declared
free.

Conditions.

land shewn and granted to them, on condition that they, the abovenamed Negroes, shall be bound to pay for the freedom they receive, each man for himself annually, as long as he lives, to the West India Company, or its Deputy here, thirty skepels of Maize, or Wheat, Pease or Beans, and one Fat hog, valued at twenty guilders, which thirty skepels and the hog they, the Negroes, each for himself, promises to pay annually, beginning from the date hereof, on pain, if any one of them shall fail to pay the yearly tribute, he shall forfeit his freedom and return back into the

said Company's slavery. With express condition, that their children at present born or yet to be born, shall be bound and obligated to serve the Hon^{ble} West India Company as Slaves; Likewise that the abovenamed men shall be obliged to serve the Hon^{ble} West India Company here, by water or on land, where their services are required, on receiving fair wages from the Company.

Their
Children to
remain
Slaves, and

The men to
serve, when
required,
for wages.

Done 25 February, 1644, in *Fort Amsterdam* in
New Netherland.

ORDINANCE

Of the Director and Council of New Netherland for the Construction
of a public Inclosure on the Island of Manhattan. *Passed 31 March,*
1644.

[N. Y. Col. MSS. IV. 18a.]

WHEREAS the Indians, our enemies, daily commit much damage, both to men and cattle, and it is to be apprehended that all the remaining stock which will be driven out will be destroyed by them, and that the lives of many Christians will be lost who daily would go out to look the cattle up, It is, therefore, decreed by the Director and Council that there shall be constructed a Fence, Palisade, or Clearing, beginning from the Great Bouwery to Emanuel's plantation, and every one who owns cattle and shall desire to have them pastured within this clearing, is warned to repair thither with tools on next Monday morning, being the 4th of April, at seven o'clock, in order to assist in constructing the said Fence, and in default thereof, he shall be deprived of the privilege of pasturing his cattle within said inclosure. Let every one take notice hereof, and communicate it to his neighbor.

Preamble.

Inclosure to
be erected
for the
protection
of cattle.

Thus published and posted on the day aforesaid.

ORDINANCE

Of the Director and Council of New Netherland against depositing Ashes, or committing any nuisance within Fort Amsterdam. *Passed 7 June, 1644.*

[N. Y. Col. MSS. IV. 191.]

Preamble.

THE Hon^{ble} Director General and Council of *New Netherland* having observed that Soldiers and others, residing in Fort Amsterdam, deposit ashes and other filth within the Fort. We, therefore, make known unto all and every one that from now henceforward, Ashes and other dirt shall be conveyed outside the Fort, and that no one shall make water within the Fort, and if any one be caught by the sentinel in the act, he shall pay to him or the Provost three stivers for each offence, and if he refuse to pay, the sentinel or Provost shall be empowered to levy execution on the offenders.

Ashes to be removed outside, and no Nuisance committed within Fort Amsterdam.

Penalty.

ORDINANCE

Of the Director and Council of New Netherland for Levying an Excise on Liquors and Beavers. *Passed 21 June, 1644.*

[Hol. Doc. III. 130.]

Preamble.

WHEREAS the general War which we have been forced to wage against the surrounding Indians hath obliged us, in order to preserve the Country, to employ an extraordinary number of Soldiers, who must necessarily be paid, as well as other heavy expenses caused by the War; to accomplish which we have spared none of the available means of the Hon^{ble} West India Company, but have, in addition, been obliged to raise as much money as we could obtain on Bills of exchange drawn on the Hon^{ble} Directors; and Whereas, We are now devoid of all means, and despair of immediately receiving any

assistance from Holland, in this our necessity; Therefore We are constrained to find out some plan to pay the Soldiers, or else We must dismiss them, which according to all appearances, will lead to the utter ruin of the country, especially as the Harvest is at hand whereby people must live and fodder be procured for the remaining cattle; for neither grain nor hay can be cut without Soldiers. These matters being duly considered, and all things being duly weighed, with the advice of the Eight Men chosen by the Commonalty, no better nor more suitable means can be found in the premises, than to impose some Duties on those articles from which the good inhabitants will experience least inconvenience, as the scarcity of money is sufficiently general.

On advice
of the Eight
Men, cer-
tain Duties
imposed,

Therefore We have enacted and Ordained, and do hereby enact and Ordain, that there shall be paid on each half barrel of Beer tapt by the Tavern Keepers, two Guilders, one-half payable by the Brewer and one-half by the Tapster; the Burgher who does not retail it, to pay half as much; on each quart of Spanish Wine and Brandy, four Stivers; French Wine, two Stivers, to be paid by the Tapsters; on each merchantable Beaver, purchased within our limits, and brought here to the Fort, one guilder; the three-quarters and halves in proportion. All on pain of forfeiture of the goods, to be recovered by the Officer or Collector to be thereunto appointed; one-third for the Informer, one-third for the Officer and the remainder for the Hon^{ble} Company. All this provisionally, until the good God grant us Peace. or We receive sufficient succor from *Holland*.

On Beer,

Wine and
Brandy, and

Beavers.

Penalty.

Ady 21 June, A° 1644, in *New Netherland*.

ORDINANCE

Of the Director and Council of New Netherland for Further levying
an Excise on Beavers and Beer. *Passed 4 August, 1644.*

[N. Y. Col. MSS. IV. 108.]

Preamble.

WHEREAS by this War which We are obliged to wage and still carry on against the Indians, We find ourselves wholly without goods and effects, not knowing of any means to feed or to maintain the Soldiers; and Whereas a goodly number of Soldiers have been sent to our assistance from *Curacao*, whom, indeed, we might well have excused ourselves from accepting, were it not that the necessity of the Country demanded their aid, and the Commonalty insisted on it; Therefore it is deemed adviseable to retain a large number of them here, and as it is impossible for the Director to provide them with Clothing, the Store being entirely empty, the Winter at hand, and as nothing can be effected with naked Men, who, on the contrary are a heavy burthen on us, no other means are, therefore, found available than to impose some Excise on Goods wherein those deal who only attend to their business whilst others suffer most serious losses.

Excise
established,

On Beavers.

Beavers to
be marked,
on pain of
Confiscation.

Wherefore it is Ordained provisionally (until succor is obtained from *Holland*) that each Merchantable Beaver being at, or coming here to the Fort, shall pay fifteen stivers once for all. And in order to prevent all frauds, all the Beavers on which the duty is paid, shall be marked with the Company's mark by the Officer thereunto appointed, and such Beavers as shall be discovered, three days after the publication hereof, to be unmarked, shall be confiscated. When they are exported, a certificate will be given to the Merchant that the Duty on them has been paid to the Company.

Also, that from now henceforward there shall be paid on each tun of Beer, three guilders, payable by the Brewer, on condition that he shall be allowed to sell his beer at fl.22 to the Tavern Keeper, and the Tavern Keeper again at nine stivers for two quarts (*de vaen*).

Excise on Beer.

And all the Brewers shall be bound to inform the Receiver how many tuns of Beer they have brewed each time, before it is removed from the premises.

Brewers to return quantity brewed.

Thus done by the Hon^{ble} Director, *Johannes La Montange*, the Fiscal, Capt. *William Cornelissen*, *Bastiaen Crol*, and Capt. *Jan de Fries*, and published the day and year aforesaid.

ORDINANCE

Of the Director and Council of New Netherland against Harboring certain persons. *Passed 25 August, 1644.*

[N. Y. Col. MSS. IV. 200.]

THE Director and Council of *New Netherland* make known to all persons that they shall not harbor nor give any food to *Huybert Jansen* and *Michiel Christoffelsen* on pain of forfeiting One hundred guilders, and the aforesaid persons are summoned to make their appearance within four and twenty hours to prove their innocence. *Ady 25 August, 1644.*

Huybert Jansen and *Michiel Christoffelsen* not to be harbored;

Summoned to appear.

CHARTER

Granted by the Director and Council of New Netherland to the Town of Hempstead, 16 November, 1644.

[N. Y. Deed Book, III. 100.]

Preamble.

KNOW all men whom these P^rsents may any wayes concerne, That Wee, *William Kieft*, Esq^r Govern^r Gen^{all} of the Province called the *New Netherlands*, with the Councell of State there established, by Vertue of a Commission under the hand and Seale of the High and Mighty Lords, the Estates Generall, of the *united Belgick Provinces*, and from his Highnesse, *Fredrick Hendrick*, Prince of Orange, and the Right Hon^{ble} Lords, the Lords Bewint Hebbbers of the west India Company, Have given and graunted, and by vertue of these p^rsents, Wee do give and graunt unto *Robert Fordham, John Stickland, John Ogden, John Carman, John Laurence and Jonas Wood*, with their Heires, Executors, Administrato^{rs} Succes-so^{rs} or Associates, or any they shall joyne in associacon with them, a certaine quantity of Land, with all the Havens, Harbo^{rs} Rivers, Creekes, Woodland, Marshes, and all other Appurtenances there unto belonging, lying and being upon, and about a certaine place, called *The Great Plaines on Long Island*, from the East River to the South Sea, and from a certaine Earbo^r now comonly called and knowne by y^e name of *Hempstead Bay*, and so westward as farr as *Mathew Garretson's Bay*, to begin at the head of the said two Bayes, and so to run in direct Lines, that there may bee the same Latitude in breath on the South side as on the North, for them the said Patentees, Actually, really, and perpetually to Enjoy, in as large and ample manner as their own free Land of Inheritance, and as farre Eastward, in case the said Patentees and their Associates shall procure One hundred flamelYES

Names
of Corpora-
tors.

Boundaries
of Town.

100 families
to be settled

to settle downe wth in the said Limitts, five yea^r after within 5
the date hereof; years.

Giving and Graunting, And by Vertue of these Corporators
P^rsents, wee do give and graunt unto the said Paten- Impowered
tees and their Associates, with their Heires and to erect
Successo^r full Power and Authority, upon the said Towns,
Land to Build a Towne or Townes with such neces-
sary ffortifications as to them shall seem expedient, Forts and
with Temple or Temples, and to use & Exercize the Churches;
reformed Religion, which they professe, with the To have
Ecclesiasticall Discipline there unto belonging; Freedom of
Religion,
and

Likewise giving and graunting, and by vertue of
these p^rsents wee do give and graunt, to the said
Patentees, their Associates, Heires and Successo^r full
Power and Authority to Erect a Body Politique, or To establish
Civill Combinacón, amongst themselves, and to nomi- a body
nate certaine Magistrates, one or more, under the politic, with
number of Eight, of the Ablest, discreetest, approved power to
honest men, and him, or them, annually to present Nominate
to y^e Governo^r of this Province, for the time being, Magistrates
for him the said, the Governo^r Gen^{all} for the time annually.
being, to Elect and Establish them, for the Execucón
of Governm^t amongst them, as well Civill, Politicall
as Juridicall, with full Power and Authority for them,
the said Magistrate, or Magistrates, to call a Court, Court
or Courts, so often as they shall thinke expedient, Established.
and to hold Pleas in all Cases, as Criminall as Its jurisdic-
tion.
Civill, and to make an Officer under them to keepe a
Record of their proceedings, with Power likewise for
them, the said Magistrate, or Magistrates, with the
consent of their associates or ffree Inhabitants, to Magistrates
make and Establish Civill Ordinances amongst them- with con-
selves, Likewwise to make an officer of Justice under sent of
them for y^e Execucón of their warrants, precepts and Inhabitants.
injunctions; Likewise to Examine upon Oath, or by to enact
way of Interrogatories, all witnesses, concerning mat- local Laws.
ters depending before them. and to give the first To appoint
a Sheriff.
Jurisdiction: in Criminal
Cases.

Housed, Gardens or Orchards, not exceeding one Hollands Acre, being excepted ;

Quit Rent
on Grazing
and breed-
ing Cattle.

And in case any of the said Patentees, their Associates, Heires and Succesos^{rs} shall onely improve their Stock in grasing or breeding of Cattle, then the Party so doing shall at the end of the aforesaid ten yeares, Pay, or cause to be paid, to an Officer there unto deputed as aforesaid, such reasonable satisfaction in Butter or Cheese, as hee and the said Officer shall Agree unto, with the advice of the Magistrate or Magistrates of y^e said place for the time being; injoyning likewise, the Patentees, their Associates, Heires and Successo^{rs} in the dating of all Publique Instruments, to use the New Stile, with the Weights and Measures of the place.

New Style
and Dutch
Weights and
Measures to
be used.

Given under my Hand and Seale of this Province, this 16th of November, 1644, Stilo novo.

WILLIAM KIEFT.

By order of the Governo^r and Councill,
CORNELYS VAN TIENHOVEN, *Secret.*
GEO. BAXTER.

ORDINANCE

By the Director and Council of New Netherland further prohibiting the Sale of Firearms, etc., to Indians. *Passed 23 February, 1645.*

[N. Y. Col. MSS. IV. 216.]

WHEREAS the Director General and Council of *New* Preamble.
Netherland have long ere this noticed the dangerous
 practise of selling Guns, Powder and Lead to the
 Indians, and moreover published at the time an
 Ordinance prohibiting the same on pain of Death,
 notwithstanding which some persons have yet under-
 taken to barter all sorts of ammunition among the
 Heathen, purchasing the same secretly here and then
 transporting it up the River and elsewhere, to the
 serious injury of this Country, the strengthening of
 the Indians and the destruction of the Christians, as
 We are now, also, informed with certainty, that our
 enemies are better provided with Powder than we,
 which they contrive to obtain through other Barba-
 rians, our friends. Likewise, his Majesty of *France* Complaint
by the King
of France.
 hath, through his Ambassador, seriously complained
 to the Lords States General of the selling of arms
 to the Indians, whereby His subjects suffer grave
 injury, in consequence of which the Lords States
 General have recommended Mess^{rs} the Directors to
 prevent and to forbid the same, and to have the guilty
 parties punished with rigor, which, then, their Honors
 have earnestly commanded us to do.

Therefore, we most expressly forbid, as we hereby No muni-
tions of War
to be sold to
Indians.
 do, all persons, from this time forth, from daring to
 trade any munitions of War with the Indians, or
 under any pretence whatsoever, to transport them
 from here, without express permission, on pain of
 being punished by Death, and having the vessel con- Penalty.
 fiscated in which the same shall be found laden or to
 have been put on board. Let every one be warned
 hereby and save himself from difficulty.

CHARTER

Granted by the Director and Council of New Netherland to the Town
of Flushing. 10 October, 1645.

[N. Y. Deed Book, II. 178.]

Preamble.

KNOW all men, whom these p^rsents may any wayes
concerne, That wee *William Kieft*, Esq^r Governo^r
Gen^l of the Province called the *New Netherlands*,
wth y^e Councill of State there Established, by Vertue
of a Commission under the hand and Seale of the
High and Mighty Lords, the Estates Gen^l of y^e
United Belgick Provinces, His Highnesse, *Frederick
Hendrick*, Prince of Orange, and the Right Hono^{ble}
Lords, the Lords Bewint Hebbbers, of the West India
Company, Have given and graunted, And by vertue
of these p^rnts, do give, graunt and confirm unto
Thomas ffarrington, John Townesend, Thomas Stiles,
Thomas Saull, John Marston, Robert ffield, Thomas
Applegate, Thomas Beddard, Laurence Dutch, John
Laurence, William Laurence, William Thorne, Henry
Sautell, William Pigeon, Michaell Milleard, Robert
ffirman, John Hicks, Edward Hart, their heires,
Exco^{rs} Admt^{rs} Assignes, Success^{ors} or Associates, or
any they shall joyne in Associac^{on} with them, a cer-
taine quantity or parcell of Land, with all the Havens,
Harbo^{rs} Rivers, Creekes, Woodland, Marshes, there
unto belonging, and being upon the Northside of
Long Island, to begin at y^e westward part thereof, at
the Mouth of a Creeke upon the East River, now
comonly called and knowne by the name of *fflushing
Creeke*, and so to runne Eastward, as farr as *Mathew
Garretsons Bay*; Together wth a Neck of Land
commonly called *Tues Neck*, being bounded on the
Westward part thereof, with the Land graunted to
M^r Francis Doughty and Associates, and on the
Eastward part thereof, with the Land graunted to
y^e Plantac^{on} and Towne of *Hempsteed*, and so to rune

Names of
Corpora-
tions.

Boundaries
of the Town.

in two direct Lines, unto the South side of y^e said Island, that there may be the same Latitude in breadth, on the South side, as on the Northside, for them the said Patentees, Actually, really, and perpetually to enjoy, and Possesse, as their owne free Land of Inheritance, for them the said Patentees, their Associates, heires, Successo^r and Assignes to Improve and Manure at their owne best advantage according to their discretions. Always Provided y^e said Patentees or Associates, shall settle such a competent Number of ffamilies, wthin the space of two yeare, after the date hereof, as the Governo^r Gen^{all} of this Province, for the time being, or any hee shall appoint, shall thinke convenient, may bee accommodated, within the said Limitts;

Number of families to be settled within 2 years.

Always Provided the first Settlers, to bee sufficiently accommodated, excepting for and to the use of the aboye said Right Hono^{ble} the Lords Bewint Hebbers, a certain Parcell of Land, within the Towne of *fflushing*, for their own use;

Reservation.

ffurther giving and graunting, And by vertue of these p^rsents, We do give and Graunt, unto the said Patentees, their Associates, Heires, Executo^r Admto^r Successo^r and Assignes, upon the said Land to build a Towne, or Townes, wth such necessary ffortifications, as to them shall seeme Expedient; and to have and Enjoy the Liberty of Conscience, according to the Custome and manner of *Holland*, without molestacō or disturbance, from any Magistrate or Magistrates, or any other Ecclesiasticall Minister, that may extend Jurisdictiō over them, with Power likewise, for them the said Patentees, their Associates and Successo^r to Nominate, Elect and Choose, a certain Officer over them, who may beare the name or Title of Scout, or Constable of *fflushing*, to w^{ch} said Officer, of Scout or Constable, Wee do hereby give graunt and Confirme, as large and ample Power and

Corporators empowered,

To erect Towns, Forts and to have freedom of Religion;

To elect a Scout or Constable.

His powers. Authority, as, is usually given to the Scout of any Village in *Holland*, or Constable in *England*, for the apprehencōn of any Malefactor, or any that shall go about to disturbe the Publique Peace and tranquillity of the said Towne of *fflushing*, And him or them to bring before the Governo^r Gen^{all} of this Province, for the time being, and there to make Proces agst such delinquents;

Free Hunting, Hawking, Fishing, Fowling, and Trade. further giving and graunting, And by vertue of these P^{nts}, we do give and graunt unto the said Patentees, their Associates, Heires, Successo^{rs} &c. to have and enjoy the free Liberty of Hawking, Hunting, ffishing, ffowling within their aboves^d Limitts, And to use and Exercise all manner of Trade and Commerce, according as y^e Inhabit^{ts} of this Provincē may or can by vertue of any Priviledge or Graunt made unto them, indueing all and singular the said Patentees, their Associates, Heires, Successo^{rs} &c. wth all and singular the imunities of this Province, as if they were Natives of the *United Belgick Provinces*;

Inhabitants to acknowledge States General &c.; and Alwayses Provided, the said Patentees, their Associates, Heires and Successo^{rs} shall reverently respect the abovenamed High and Mighty Lords, &c. for their Superior Lords and Patrons, so long as they shall continue within the Jurisdiction of this Province, and at y^e expiracōn of ten yeares to begin from the day of the date hereof, to pay or cause to bee paid to an Officer, thereunto deputed by the Governo^r Gen^{all} of this Province, for the time being, the tenth part of the Revenue, that shall arise by the Ground manured, by the Plough or Howe, in case it bee demanded, to be paid to y^e sd Officer, in the ffield, before it bee Housed, Gardens, or Orchards, not exceeding one Holland Acre, being excepted; And in case any of y^e sd Patentees, their Associates, Heires, Successo^{rs} or Assignes, shall onely improve their Stocks, in Grasing or Breeding of Cattle, Then

To pay Tenths.

the Party so doing, shall at the expiracōn of the ten yeares aforsaid, Pay or cause to be paid to an Officer, deputed as abovesaid, such reasonable Satisfaction in Butter or Cheese, as other Townes shall do in like Cases;

Quit Rent
on Grazing
and breed-
ing Cattle.

Likewise enjoyning the said Patentees and Associates, their Heires, Successors and so forth, in the dating of all Publick Instrum^{ts} to use the New Stile, together with the Weights and Measures of this place.

New Stile
and Dutch
Weights and
Measures to
be used.

In Wittnesse whereof, wee have here unto sett our hand and Seale of this Province, dated this tenth day of October, 1645, stilo novo, in the *ffort Amsterdam*.

Memorandum, before the Ensealing hereof, It was Agreed, and Ordered by the Governo^r, the Land should rune North and South, but as farr as the Hills.

Memoran-
dum.

WILLEM KIEFT.

Ter Ordinnantie, &c.

CORNELIS VAN TIENHOVEN *Secrets*.

ORDINANCE

Of the Director and Council of New Netherland further prohibiting the sale of Intoxicating Liquors to Indians. *Passed 21 November, 1645.*

[N. Y. Col. MSS. IV. 239.]

Preamble

No Liquors
to be given
or sold to
Indians.

Penalty.

WHEREAS large quantities of Strong liquors are daily sold to the Indians whence serious troubles have heretofore arisen in this country, and it is to be apprehended, if no provision be made therein, greater calamities will occur, and in order to prevent the same, We, the Director General and Council of *New Netherland*, do forbid all Tapsters and Inhabitants from this day forward, any Wine, Beer or other Strong liquors to sell, give or trade in any way whatsoever to the Indians; to bring it, or cause it to be brought, by the third or fourth hand, directly or indirectly into any Houses, Taverns or elsewhere. If any one (be he who he may) be found to have transgressed herein, he shall forfeit for the first offence Five hundred guilders; for the second offence, double; an arbitrary correction, and to be banished out of the country, and in addition, to be responsible for all the damage which may accrue from the selling or giving any drink to the Indians.

Published and posted at the usual places on the 21 November, 1645.

CHARTER

Granted by the Director and Council of New Netherland to the town
of Gravesend, L. I. 19 *December*, 1645.

[From the Original in the Office of the Clerk of the Town.]

WHEREAS it hath pleased the High and Mighty Preamble.
Lords the Estates Generall of the *united Belgick Provinces* his Highness *ffredericke Hendricke* by the grace
of God Prince of Orange, etc. : & the Right Honourable
the lords Bewint-hebbers of the West India Company
by theyre severall Comissions under theyre hands
and seales to giue and graunt unto me *William Kieft*
sufficient power and authoritie for the generall rule
and gouernment of this Prouince Called the *New
Netherlands* & likewise for the setling of townes,
Collonies, plantations and disposing of the land
within this Prouince, as by the said Commissions
more att large doth and may appeare ;

Now Know yee whomsoener these presents may
any ways Concerne that I *Will : Kieft* Gouvern^r Gener^{ll}
of this Prouince by vertue of the authoritie aboues^d
& with the aduice & consent of the Councill of State
here established haue giuen and granted and by
vertue of these presents doe giue, graunt & confirme
vnto the Honoured Lady *Deborah Moody* : Sir *Henry
Moody* Barronett, Ensigne *George Baxter* : & serieant
James Hubbard, theyre associates, heyres, executours,
administratours, successours, assignes, or any they
shall ioyn in association with them, a Certaine quan-
titie or parcell of land, together with all the hauens,
harbours, riuers, Creekes, woodland, marshes, and all
other appurtenances thereunto belonging, lying and
being vpon & aboute the westernmost part of
Long Island, and beginning att the mouth of a
Creeke adiacent to *Conyne Island* & being bounded
on the westward part thereof with the land apper-

Names of
Corpora-
tions.

Boundaries
of the
Town.

taining to *Anthony Johnson & Robert Pennoyre*, and soe to runne as farre as the westermost part of a Certaine pond in an ould Indian field on the north side of the plantation of the s^d *Ro: Pennoyre*, & from thence to runne direct East as farre as a valley beginning att the head of a fflye or marsh somtimes belonging to the land of *Hugh Garretson*, & being bounded on the south side with the Maine Ocean, for them the said pattentees theyre associates, hrs, execut^{rs} administ^{rs} succes^{rs} & assigns, actuallie, reallie & perpetuallie to inioy and posesse as theyre owne ffree land of inheritance and it to improue & manure according to their owne discretions, with libertie likewise for them the said patt^{es} theyre assoc^{ts} hrs & succes^{rs} & assigns to put what cattle they shall thinke fitting to feed or grase vppon the affores^d *Conyne Island*.

Inhabitants
allowed
to grase
Cattle on
*Conyne
Island.*

Corporators
impowered

ffarther giueing & graunting, & by vertue of these presents wee doe giue & graunt unto the s^d pattent^{es} theyre assoc^{ts} hrs, & success^{rs} full power and authoritie vppon the said land to build a towne, or townes, with such necessarie fortifications as to them shall seem expedient, & to haue & enioy the ffree libertie of Conscience according to the Custom and manner of *Holland*, without molestation or disturbance from any magistrate, or magistrates, or any other ecclesiasticall minister that may pretend iurisdiction oner them, with libertie likewise for them the s^d pattentees, theyre assoc^{es} hrs, &c: to erect a boddy politique & Civill Combination amongst themselves as ffreemen of this prouince & of the towne of *Grauesund* & to make such Civill ordinances as the maior part of the inhabit^{ts} ffree of the s^d towne shall thinke fitting for theyre quiet & peaceable subsisting & to nominate elect & choose three of the ablest, approued, honest men, & them to present annually to the Gouern^r

To erect
Towns,
Ports, and

To enioy
Freedom of
Religion;

To establish
a body
politie;

To make
local laws,
and

Nominate
Magistrates.

gener: of this pronouce for the time being for him the s^d Gouvern^r to establish & Confirme;

To the which s^d three men soe chosen & Confirmed wee doe hereby giue & graunt full power and authoritie absolutely and definitiuelie to determine (without appeale to any superiour Court) for debt or trespasse, not exceeding fifty hollands gild^m for all such actions as shall happen within the iurisdiction of the abones^d limit: with power likewise for any one of the s^d thre to examine vpon oath all witnesses in Cases depending before them, and in Case any shall refuse to stand to the award of what the maior part of the s^d thre shall agree vnto, in such Cases we doe hereby giue and graunt full power and authoritie to any two of the s^d thre, to attach, and Ceise, vpon the land, goods, Cattles & Chattles of the parties Condemned by theyre s^d sentence, and fourtene dayes after the said Czure (if the parties soe Condemned agrees not in the interim & submits himselfe to the sentense of the said thre men) the s^d two or three appointed men as affores^d to take or ioine to themselues two more of theyre neighbours discrete honest men & with the aduise of them to apprise the lands, goods, Cattles, or Chattles, within the abones^d iurisdiction & belonging to the partie Condemned as affores^d to the full valleeu; and then to sell them to any that will buye, that satisfaction & payment may be made, according to the sentence of the s^d appointed men.

Jurisdiction
of Magis-
trates.

Likewise giueing & graunting & by vertue hereof wee doe giue & graunt unto the s^d patt^{es} theyre asoc^{ts} hrs, success^{rs} &c., full power and authoritie to elect & nominate a certaine officer amongst themselues to execute the place of a Scoute, and him likewise annuallie to present to the Gouver^r gener: of this prouince to be established and confirmed, to which s^d officer soe chosen and confirmed, we doe hereby

Scout to be
elected and
confirmed.

His powers. gine and graunt as large and ample power as is vsuallie giuen to the scoutes of any village in *Holland*, for the suppression or preuention of any disorders that may there arise, or to arrest & apprehend the boddy of any Criminall, malefactour, or of any that shall by word or act disturb the publicqu tranquillitie of this prouince, or ciuill peace of the inhabitants within the aboues^d iurisdiction, & him, them, or her, soe arrested or apprehended, to bring or Cause to be brought before the Gouvern^r gener: of this prouince, & theyre by way of processe declare against the partie soe offending;

Free
Hunting,
Hawking,
Fishing,
Fowling,
and Trade.

ffurther wee doe gine & graunt unto the s^d patt^{es} theyre asso^{cs} hrs, etc: free libertie of hawking, hunting, fishing, fowling within the aboues^d limits, & to use & exercise all manner of trades & comerce, according as the inhabitants of this prouince may or Can, by vertue of any priueledge, or graunt made unto them, induing all & singular the s^d patt^{es} theyre assoc^{ts} hrs, etc: with all & singular the immunities and priueledges already graunted to the inhabit^{ts} of this prouince or hereafter to be graunted, as if they were natives of the *united Belgick prouinces*.

Inhabitants
to acknowl-
edge States
General
&c., and

Allways prouided the s^d patt^{es} theyre assoc^{ts} hrs, &c: shall faithfullie acknowledge & reuen rentlie respect the abouenamed High & Mighty lords, etc.: for theyre superiour lords & patrons, & in all loyaltie & fidelitie demeane themselues towards them & theyre successe^{rs} according as the inhabit^{ts} of this prouince in duty are bound, soe long as they shall be within this iurisdiction, and att the expirat^{ion} of ten years, to beginne from the day of the date hereof, to pay or Cause to be paid to an officer thereunto deputed by the Gouvern^r Gener: of this prouince for the tyme being, the tenth part of the reuenue that shall arise by the ground manured by the plough or how, in case it be demanded to be paid to the s^d

To pay
Tenths.

officer in the fields before it be howsed, gardens or orchards not exceeding one hollands acre being excepted: and in case any of the s^d patt^{es} theyre assoc^{ies} hrs, etc., shall only improue theyre stocks in grassing or breiding of Cattle, then the parties soe doing shall att the end of the ten yeares affores^d pay or cause to be paid to an officer deputed as affores^d such reasonable satisfaction in butter and cheese, as other inhabit^{ts} of other towns shall doe in like Cases;

Quit rent on
Grazing and
breeding
Cattle.

Likewise inioyning the said patt^{es} theyre assoc^{ies} hrs, etc: in the dating of all publique instruments to use the new style with the weights and measures of this place.

New Style
and Dutch
Weights and
Measures to
be used.

Given under my hand and seale of this prouince this 19th of December in the *foort Amsterdam* in *New-Netherlands*, 1645.

WILLEM KIEFT.

(Endorsed on the back)—

Ter ordonnantie van de H^r Direct^r generael en
Raden Van Nieu Nederlandt.

CORNELIS VAN TIENHOVEN, *Secret^r*.

This Patent was Recorded in the office at New Yorke the 1st day of March, 1666.

MATTHIAS NICOLLS, *Sec^r*.

ORDINANCE

Of the Director and Council of New Netherland establishing a Court of Justice in Breuckelen. *Passed June 12, 1646.*

[N. Y. Col. MSS. IV. 259.]

Preamble,

WE, *William Kieft*, Director General, and the Council residing in *New Netherland* on behalf of the High and Mighty Lords States General of the *united Netherlands*, his Highness of Orange and the Hon^{ble} Directors of the General Incorporated West India Company.

To all those who shall see these presents or hear them read, Greeting.

Schepens of Breuckelen,

Their powers.

Penalty for not obeying the Schepens.

Schepens to adjoin unto themselves two others, if necessary.

Whereas *Jan Eversen Bout* and *Huyck Aertsen* from Rossum were on the 21 May last unanimously chosen by the proprietors (*geintresseerde*) of *Breuckelen*, situate on *Long Island*, as Schepens to decide all questions which may arise, as they shall deem proper, according to the Exemptions of *New Netherland* granted to particular Colonies, which election is subscribed by them, with express stipulation that, if any one refuses to submit in the premises aforesaid to the above mentioned *Jan Eversen* and *Huyck Aertsen*, he shall forfeit the right which he claims to the land in the allotment of *Breuckelen*; And in order that every thing be done with more authority, We, the Director and Council aforesaid have, therefore, authorized and appointed, and do hereby authorize the said *Jan Eversen* and *Huyck Aertsen* to be Schepens of *Breuckelen*, and in case *Jan Eversen* and *Huyck Aertsen* do hereafter find the labor too onerous, they shall be at liberty to select two more from among the Inhabitants of *Breuckelen* to adjoin them to themselves. We charge and command every Inhabitant of *Breuckelen* to acknowledge and respect the abovenamed *Jan Eversen* and *Huyck Aertsen* as

their Schepens, and if anyone shall be found to exhibit contumaciousness towards them, he shall forfeit his share as above stated.

Thus done in Council in *Fort Amsterdam* in *New Netherland*.

ORDINANCE

Of the Director and Council of New Netherland further providing for the proper drawing up of Legal Instruments. *Passed 12 June, 1646.*

[N. Y. Col. MSS. IV. 259.]

WHEREAS it is daily observed that, contrary to Preamble. Law and the Ordinance of the Lords States General and the Edict published A° 16 , grave mistakes occur in the writing and drawing up of evidence of the truth by private individuals, who are neither bound by oath nor called by Authority thereto, whereby many things are written to the advantage of those who have the papers drawn up, interspersed with sinister, obscure and dubious words, oftentimes contrary to the meaning of the Attestors, to the great prejudice and damage of the parties ; And in order to prevent this result, dangerous in a Republic, and to strengthen the knowledge of the truth necessary in all Courts, Therefore we annul and declare invalid, as we do hereby annul and declare invalid all Affidavits, Interrogatories or other Instruments serving as evidence, which are written by private Individuals and not confirmed by oath before the Court here or other Magistrates, as we also, from now henceforth annul all Affidavits which will not be written by the Secretary or other duly authorized person, likewise all Contracts, Testaments, Agreements and other important documents, unless that through necessity it should be impossible to call on such person. Legal instruments, not verified before the Court. Or not drawn up by the Secretary, declared void. Ady
12 June, 1646.

A C T

Of the Director and Council of New Netherland manumitting a Negro Slave. *Passed 27 September, 1646.*

[N. Y. Col. MSS. IV. 271.]

Preamble.

At the request of the reverend and very learned Dom^e *Johannes Megapolensis*, minister in the Colonie *Renselaerswyck*, and in consequence of the promise heretofore given by our predecessor* unto *Jan Francisco*, the younger, a Negro, and of his long and faithful service, he is set and made free, on condition

Jan Francisco manumitted.

Conditions.

that he pay to the Company during his life 10 skepels of wheat, or its value, yearly, in return for his freedom.

 O R D I N A N C E

Of the Director and Council of New Netherland against selling Liquor during Divine Service on the Sabbath, and after nine o'clock at night; and against Fighting with Knives. *Passed 31 May, 1647.*

[N. Y. Col. MSS. IV. 289; XVI. 5.]

PETRUS STUYVESANT, Director General of *New Netherland, Curacao* and the Islands thereof, Commander in chief of the Company's ships and Yachts cruising in the West Indies,

To all those who shall see these presents or hear them read, Greeting.

Preamble.

WHEREAS we see and observe by experience the great disorders in which some of our Inhabitants indulge, in drinking to excess, quarreling, fighting and smiting even on the Lord's day of rest, whereof, God help us! we have seen and heard sorrowful instances on last Sunday in vilipending of the Court

*Wouter van Twiller.

of Justice, to the reproach and censure of Ourselves and Our office, to the scandal of our Neighbors and finally to the disparagement, yea contempt of God's Holy laws and Ordinances which command us to sanctify this His Rest and Sabbath day to His honor, forbidding all wounding, slaying and the means and occasions whereby the same might arise.

Therefore We, with the advice of the late Hon. Director General and Our appointed Council, in order as much as it is practicable and possible for us to provide herein, and to prevent the Curse, instead of the Blessing of God falling upon Us and our good Inhabitants, do hereby Order and Command that none of the Brewers, Tapsters and Tavern Keepers shall, on the Rest day of the Lord, by us called Sunday, before two of the clock, when there is no sermon, or otherwise, before four of the clock in the afternoon, set before, tap or give any people, any Wine, Beer or Strong liquors of what sort soever, and under any pretext, be it what it may, Travelers and daily Boarders alone excepted, who may be provided therewith for their necessity in their lodgings, on pain of forfeiting their license, and in addition six Carolus guilders for every person who is found in their houses at that time partaking of any Wine or Beer; And in like manner, we forbid all Tavern-keepers, Retailers, and Tapsters, on that day and all other days in the week, in the evening after the ringing of the Bell, which will be about Nine of the Clock, to have any more common Tippling or to tap or furnish any Wine, Beer or Strong liquors except to their own Families, Travelers and Boarders, on the same penalty.

No Liquors
to be sold
on Sunday
before cer-
tain hours,

Or on any
day after
nine
o'clock
in the
evening.

Penalty.

And in order to prevent the too rash drawing of Knives, fighting, wounding and consequent accidents, We, therefore, pursuant to the laudable Statute of the most wise and Worshipful Council of the City

Penalty for
drawing a
knife, or
dagger,

And for
inflicting a
wound.

of *Amsterdam*, do hereby enact and Ordain, that who soever shall, in passion or in anger, draw, or cause to be drawn a knife or dagger against another, shall forthwith incur a fine of One hundred Carolus guilders, or in case he fail to pay the money, he shall as a punishment be set for half a year to hard labor on bread and water; and if he wound any one therewith, Three hundred like guilders or to spend a year and a half at the aforesaid labor. And We charge and command our Fiscal, Lieutenant, Sergeants, Corporals, as well of Burghers, Inhabitants as of Soldiers, to use all opportunities, visits and due diligence, without any simulation, in attacking and apprehending the contraveners hereof, in order that they may be prosecuted according to law.

Thus done in Fort *Amsterdam* in *New Netherland*, the 31 May, 1647.

NOTE.—The following are the provisions of the Statute of *Amsterdam*, referred to in this Ordinance, entitled: "*Of drawing Weapons, Fighting and Wounding.*"

2. And if anyone draw a Knife or other weapon, without, however inflicting a wound, he shall be committed to close imprisonment, on beer and bread at his own cost, for the term of six weeks, or must pay the Court in lieu thereof, the sum of Twelve Carolus guilders, in ready money.

3. Item. If anyone wound or strike another with a knife or other weapon, even with sticks, canes, pitchers and such like, he is to be imprisoned in the public jail on beer and bread, at his own cost, for the term of three months, or pay instead, the sum of Four and twenty guilders in ready money. *Recueil van Verscheyde Keuren en Costumen van de Stadt Amsterdam*, door Gerard Rooseboom. Cap. XI. TR.

ORDINANCE

Of the Director and Council of New Netherland against trading in the Minquas country. *Passed 18 June, 1647.*

[N. Y. Col. MSS. IV. 296.]

WHEREAS the Hon^{ble} Director General and Council Preamble.
have received certain information that divers Private traders sailing to the South, and belonging to this government, go into the interior towards the *Minquas country* with cargoes of Cloth, Wampum and other articles, whereby not only Trade is destroyed, but the traders, who remain with their Sloops at the usual Trading posts, sustain great loss and damage, and the Indians thereby might be tempted to murder and slay such persons, in order to obtain their goods, and this Country fall again into disorder and war. Wherefore, We, for the advantage and interest of the West India Company and this Country, forbid and interdict, as we do hereby from this time henceforward, all and everyone of our Inhabitants from daring to go into the interior with Cargoes or any other commodities but to wait at the usual trading posts for trade.

No person
to go into
the interior
to Trade.

Thus done in *Fort Amsterdam* in *New Netherland*
18 June A° 1647

ORDINANCE

Of the Director and Council of New Netherland, against selling Liquor to Indians; against Trespasses; and for the erection of Fences and a Public Pound. *Passed 1 July, 1647.*

[N. Y. Col. MSS. IV, 297; XVI. 6.]

* Preamble.

WHEREAS large quantities of strong Liquors are daily sold to the Indians whereby heretofore serious difficulties have been occasioned in this Country and, therefore it becomes necessary to provide seasonably therein, so is it that We, the Director General and Council of *New Netherland*, forbid and interdict all Tapsters and other Inhabitants from now henceforth any Wine, Beer or strong drink to sell, give or trade in any manner or under any pretext whatsoever to the Indians, or to let it be conveyed by the pot, and thus be handed to the Indians by the third or fourth hand directly or indirectly, under the penalty of Five hundred Carolus guilders, and in addition to be responsible for the damage which may accrue therefrom.

No Liquor to be sold, or given to Indians.

Penalty.

Damages to Farms, &c., forbidden.

Also, every one is warned and forbidden against doing any damage to Farms, Orchards and Gardens either to the Fences or Fruits, and whosoever shall be found to have committed any damage to the Fences or Fruits of any Farm, Garden or Orchard shall be fined One Hundred Guilders besides an arbitrary correction.

Penalty.

Farms to be properly Fenced.

Likewise, all Inhabitants of *New Netherland* are charged and commanded their Farms properly to fence and set off so that the Cattle do not commit any damage therein, which cattle, whether Horses, Cows, and especially Goats and Hogs, must be herded or otherwise placed where they can do no harm, to which end Fiscal *Van Dyck* shall erect a Pound in which he may detain the Cattle until the damage

Cattle to be herded.

Pound to be erected.

be made good and the fine paid. Let every one be warned and on his guard against Loss.

Done in *Fort Amsterdam* in *New Netherland* the 1st July, 1647.

ORDINANCE

Of the Director and Council of New Netherland against Smuggling, and to oblige Merchants to exhibit their Books and Accounts when called on. *Passed 4 July, 1647.*

[N. Y. Col. MSS. IV. 298.]

PETRUS STUYVESANT, Director General of *New Netherland*, *Curacao* and the Islands thereof, and the Hon^{ble} Council,

To all those who shall see these Presents or hear them read, Greeting.

WHEREAS we by daily experience find, see and Preamble. remark the Frauds, Abuses and Smuggling which clearly Our and other people commit in the Exportation of Beavers, Otters, Bearskins, Elkhides and other Peltries, which are sent away or exported without being entered, and consequently without paying any impost or duty, beyond this our jurisdiction and government to *New England*, *Virginia* and other parts, whereby the granted and accorded revenues of our Lords Majors are seriously diminished, also, by the Importation of some English Wares and Merchandizes in return, which being oftentimes entered at half the value, We and, in us, the Lords Majors are defrauded both in the Import duties on the English Wares and Merchandizes and the Export duties on the Beavers and Peltries sent away in exchange for them; Moreover, the Wares and Merchandizes of our good and dear Inhabitants, Merchants, Factors and Traders, who pay or have paid fair and just duties thereupon in Fatherland, or here at our

Counting house, are hereby grossly injured, trade and commerce corrupted, and We defrauded and wronged in our Revenues and Incomes, wherein being desirous to provide as far as it is possible for us and in our power,

Merchandise to be entered.

Merchants to exhibit their Books and Accounts, when required.

Penalty.

Furs not to be exported

We, the abovementioned Director General and Council do, therefore, most emphatically Ordain, order and command both our own Subjects and Strangers and persons coming here from without, that no one of them shall presume to sell, barter, trade, remove, ship or export, directly or indirectly, any Wares or Merchandizes of what nature or quality soever they may be, within our Government as well here in *New Netherland* as at the Islands of *Curacao* and elsewhere, without first due entry be made of such Merchandizes, their quantity, quality and value and the same presented to us or our agents; which being done, it shall be lawful for all and every, both Strangers and Inhabitants, to dispose of, sell and part with their Wares and Merchandizes in the usual course of trade to anyone, according as it shall be expedient or profitable to the Owners or Sellers; provided that the seller remain bound, whenever it pleases us, to shew on his book or account, to whom they have been sold or what goods have been bartered for them, so that after delivery and returns in lieu of payment, the proper Duties and Imposts may be faithfully paid and received before leaving the country, under the penalty of the confiscation and forfeiture of all the concealed Goods and returns which may be found in the first instance or afterwards, and in addition, a fine of Five hundred Carolus guilders.

We likewise Ordain, interdict and forbid all persons, of what Nation or quality soever they may be, any Elkhides, Bearskins, Otters, Beavers or other Peltries to remove, exchange, export, tranship or to

transfer from one Vessel into another or to land, either directly or indirectly, under any pretext whatsoever, unless first of all such Elkhides, Bearskins, Otters, Beavers and other Peltries are entered with us, or our deputy, without fraud and delay, as to their quantity, either here at the *Manhattans*, or at the place where they have been bartered, negotiated and traded, or at least on the first opportunity where We have stationed our Commissary, or Resident and Deputy, on pain of the confiscation and forfeiture of all the Peltries, with the Goods and Merchandizes therewith which afterwards shall be found smuggled or concealed.

Until
entered.

Penalty.

And in order that all Frauds and Smuggling may be at once prevented and stopped, It is further by Us, the Director General and Council, hereby Ordained, enacted and decreed, that from now henceforth, or at least after the sending away of the Peltries which are to go in the Ship *Princess*, all Elkhides, Bearskins, Otters, Beavers, and all other furs shall be marked and stamped with a certain mark thereto ordered or yet to be established, by some person here in *New Amsterdam*, to be sworn for that purpose on the behalf of the Lords Majors, in order at the proper time that the regular duty may be received, or caused to be received, on such Bearskins, Elkhides, Deerskins, Otters, Beavers and other Peltries, so that they may be carried and exported hence elsewhere beyond or within our Government, to *New England* or towards the Swedes at the South, to *Virginia* or to *Fatherland*; under penalty of confiscation of all Beavers, Otters, Bearskins, Elkhides, Deer and Fox skins, which shall be found here or hereafter in *Fatherland* unmarked and unstamped.

Furs to be
marked by
the public
Officer,

And the
Duty there-
on paid.

Penalty.

Moreover, for the further prevention of all sorts of Smuggling, inasmuch as the duty is not and cannot be actually paid in Beavers, all Merchants, Factors,

Merchants
to show by
their Books,
to whom
they have
sold Furs.

Penalty.

All Furs to
be entered
within three
days.

Penalty.

Peddlers, Traders or other commercial persons, whether Inhabitants or Foreigners, are charged and commanded by Us, to show pertinently or whenever it shall be our pleasure, by their accounts and books to whom they have trucked and traded such marked and stamped Beavers, Otters, Bearskins, Deerskins and other Peltries, under the penalty that the last receiver and purchaser thereof remaining here in default or neglect, shall pay a double duty on the Furs which are missed or not entered on his books; and within three days after the departure of the Ship *Princess* all Merchants, Traders and Inhabitants at the *Manhattans*, shall duly enter their remaining Beavers, Otters and other Peltries, and have them marked, on pain of incurring the Confiscation and Fine aforesaid.

Thus done and enacted in Council at *Fort Amsterdam* in *New Netherland* the 4th July, A° 1647, New style. Present: The Hon. Director General, the Hon. *Dincklage*, the Hon. Ex-Director, Mr. *La Montagne*, Capt. lieut. *Nuton*, Commander *Looper*, *Jan Claes^a Bol*, captain of the *Princess*, and Naval Officer, Mr. *Paulus Leendersen*.

NOTE.—The preceding Law was disapproved in Holland, as appears by the following observations of the Directors of the Company at Amsterdam to Director Stuyvesant:

27 January, 1649. "We observe that your Honor has undertaken to visit the stores of some Merchants with a view to discover Smuggling; likewise to examine their Books. All these things are, in our opinion, of grave consequence and directly contrary to the course of Free Trade, which provisionally is granted by this Chamber to all Traders, for the reason that this Chamber is as yet unable to retain the trade to itself, but must content itself with the Duty, for the present, until more favorable circumstances." *N. Y. Col. MSS.*, XI. 14.

16 February, 1650. "What we shall remark respecting Edicts and Resolutions which are sometimes difficult of execution, refers solely to what we have once before observed to you in regard to examining the Books of some Merchants. *Hardenbergh* hath already complained of it, and this argument was greatly strengthened by the information of the Delegates who have set forth in plain terms in their Remonstrance, that Edicts have been posted up, whereby your Honor main-

tains that all Merchants' Books must at all times be open to you and your Council. This, we must acknowledge, was never customary in Christendom, nor ought it to be the custom. But as no copy thereof has yet reached us, we shall not at present admit it further than your own confession in regard to *Arnoldus van Hardenberch*, and the good intention respecting the frauds committed in the measurement of Duffels sold to divers parties." *N. Y. Col. MSS. IX. 18. Tr.*

ORDINANCE

Of the Director and Council of New Netherland, imposing an Excise on Wines and Spirituous Liquors. *Passed 4 July, 1647.*

[*N. Y. Col. MSS. IV. 303.*]

PETRUS STUYVESANT, Director General of *New Netherland, Curacao*, and the Islands thereof, and the Hon^{ble} Council,

To all those who shall see these Presents, or hear them read, Greeting.

WHEREAS the fortress *New Amsterdam* is now for some time past, during the War, greatly decayed, and the walls daily leaped over and more and more trodden under foot by Men and Cattle, which tends not only to the disrepute of our Sovereign and High authority, the contempt, yea disgrace of this State by others our Neighbors, whether English, French, Swedes, yea even by the Indians and Heathens, but also to the reproach of Us and our good Inhabitants, and is most perilous and dangerous in time of attack, or of defence against all foreign enemies ; Therefore, We, the Director General and Council intending, pursuant to the Order of the Hon^{ble} Lords Majors, to put the Fort into proper repair ; to complete the Church, at which we are already engaged ; to erect a Pier for the convenience of the Merchants and Citizens ; to construct a Sheet-piling to prevent the abrasion by the river in front of this city of *Amsterdam*, all which being useful and highly necessary, public and general works, requiring a considerable

Preamble.

Proposed
public
Works.

Excise
established,

sum of money, both to procure the materials, and to pay the workmen, therefore for facilitating and rendering more easy the same, We have resolved to ordain and establish a reasonable Excise and impost on the Wine, Brandy and Liquors which are imported from abroad.

On Wine,
Brandy, &c.

And we do hereby Ordain and enact that all Tavern keepers and Retailers of Spanish Wine, Brandy and Liquors shall pay an Excise of two stivers per pot ; of French Wine, one stiver ; that is on each anker of Spanish Wine, Brandy and Liquor, three guilders, four stivers ; of French Wine, one guilden, twelve stivers, the large vessels in proportion ; In like manner also, all Skippers, Factors and Scots who will transport or sell such Wine, Brandy,

Proviso.

or Liquors elsewhere within our government, shall pay the same Excise ; with this understanding, nevertheless, that the Merchant, Burgher, Farmer, and other our good Inhabitants (the Tapster and retailer by the large and small measure alone excepted) shall be at liberty to lay in their houses, dwellings, and places of abode, by the large and small cask, for their private consumption, on the same terms as those who purchased of the Merchant, Factor, or Trader, in order to sell again ; provided only that the Burgher and other good Inhabitants

Permit to
be obtained.

remain bound to obtain a Permit from our appointed Officer, Receiver or Collector, before he lay in or store the Wine in the cellar, and to pay therefor six stivers per anker of French Wine and 12 stivers per anker of Brandy or Spanish Wine ; larger measures in proportion.

Fee for
permits.

Quantity
Of Wine
and Liquors
sold, to be
reported.

In order to prevent fraud and Smuggling the seller shall remain bound to enter with the Receiver General or Collector the quantity and quality of the sold Wines and Liquors before delivery. In like manner the purchaser is ordered and commanded not to

receive, ship, export nor store any Wines without having first obtained a proper permit from the Receiver or Collector, and exhibited it to the Officer, on pain of forfeiting such Wines and Five Hundred guilders additional, to be applied one third for the Company, one third for the Church, one third for the Fiscal or the Complainant and Informer.

No Liquors
to be export-
ed without
a permit.

Penalty.

Thus done and enacted in Council in *Fort Amsterdam*. Present, the Hon^{ble} General *Pr Stuyvesant*, the late Director *W. Kieft*, Mr. *Dincklage*, Mr. *La Montagne*, Captain Lieutenant *Newton*, Commander *Jacob Loper*, *Paulus Leendersen*, Naval Officer, and *Jan Claesz Bol*, the 4 July, A° 1647.

ORDINANCE

Of the Director and Council of New Netherland respecting Large and Small ships and Smuggling. *Passed 4 July, 1647.*

[N. Y. Col. MSS. IV. 804; XVI. 7.]

The Hon^{ble} Director General and Council of *New Netherland*, *Curacao*, and the Islands thereof, residing in *New Netherland*, on the behalf of their High Mightinesses the Lords States General of the *United Netherlands*, his Highness of Orange and the Hon^{ble} Directors of the Incorporated West India Company, do hereby Ordain and enact:

1. That all private Yachts, Barks, Ketches, Sloops and Boats under Fifty lasts, whether Dutch, English, French, Swedish or other, desiring to anchor under the *Manhattans*, shall not seek for, nor have any other roadstead than in front of the City *New Amsterdam*, between *Capske Point* and the Guide-board near the City Tavern, under a fine of Fifty Carolus guilders for the first time after they have been notified, and the large Ships may anchor between the said Point

Limits of
the Road-
stead of
New
Amsterdam.

Penalty for
anchoring
elsewhere.

and the Second Guide Board, which stands on the way down towards the *Smith's valley*.

Vessels on arriving to be visited, and goods to be inspected before discharged.

2. No Skippers, Merchants, Traders, nor ships on their first arrived, will be allowed to land, remove, transport or tranship any Merchandizes or Wares on shore until the arrived vessels are visited and the goods entered with the Hon^{ble} General, or his deputy.

No vessels to discharge or load after Sunset or before Sunrise.

3. After Sunset and before Sunrise, no Ships can discharge or load, or send off or receive, any boats with Goods or Merchandize, except to convey one of the Officers on board or ashore, which must be done in the evening before the ringing of the Farmers' bell and in the morning after Reveille, and from no other place than in front of, and about the office (*logie*), on pain of forfeiting all wares and merchandizes then found in the boat, and One pound Flemish additional.

Penalty.

No Vessels to depart without being inspected and giving previous notice.

4. No Ships, great or small, shall be allowed to depart without being first visited, and twelve hours' previous notice having been given to, and proper clearance received from the Hon^{ble} General or his deputy, under a penalty of One hundred guilders.

Penalty.

No Skippers to take passengers out of the country without a Pass.

5. No Skippers, Traders, nor anyone on board the ship, shall be permitted to conceal, carry away or transport out of the district of Our government any of the Company's servants, free traders or inhabitants of *New Netherland*, of what nation or quality soever they may be, without a proper Pass and handwriting signed by the Director, or his deputy, under a fine of Six hundred guilders.

Penalty.

Thus done in Council in *Fort Amsterdam*. Present: the Hon^{ble} General *Petrus Stuyvesant*, the late Director *William Kieft*, Mr. *Dincklage*, Mr. *La Montange*, Captain lieutenant *Nuton*, *Jacob Loper*, Naval officer *Paulus Leendersen*, and *Jan Claesz Bol*, captain of the *Princess*, the 4 July, A° 1647, in *New Netherland*.

ORDINANCE

Of the Director and Council of New Netherland, imposing an Export
Duty on Furs. *Passed 23 July, 1647.*

[N. Y. Col. MSS. IV. 320.]

WHEREAS for some years past all Free traders here Preamble.
in *New Netherland* have paid a duty on all Peltries
purchased and bartered by them here and exported,
as ships offered, to Fatherland, the Council have,
therefore, considered it highly necessary to establish
a fixed Duty, so that each may know what impost
he has to pay ; Wherefore it is Resolved that the
Duty shall be computed : On every exported Beaver-
skin shall be paid, Fifteen stivers ; two halves for Duties on
Furs.
one whole, and three Drielings* for two whole
Beavers ; each Otter and Beaverskin, Fifteen stivers ;
each Elkhide, Fifteen stivers, and the other furs of
less value, in proportion.

Thus done in Council, Present, the Hon^{ble} D^r Gen-
eral *Petrus Stuyvesandt*, the Hon^{ble} *William Kieft*, late
director, Mr. *La Montagne*, Lieutenant *Nuton*, Naval
officer *Paulus Leendersen*, and *Jan Claesen Bol*. The
23^d July A^o 1647.

* Drieling — somewhat less than a half. *Vanderkemp*.

ORDINANCE

Of the Director and Council of New Netherland regulating Buildings
in the city of New Amsterdam. *Passed 25 July, 1647.*

[N. Y. Col. MSS. IV. 834; XVI. 9.]

Preamble.

Surveyors
of Streets
appointed.

Their
powers.

No person
to build
without
their
knowledge.

Penalty.

Proprietors
of vacant
lots to build
thereon,

On pain of
forfeiture.

WHEREAS we see and remark by experience the irregularity heretofore and still daily observed in building and erecting of Houses; in extending of Lots far beyond the survey line; in setting up Hog pens and Privies on the highways and streets; in neglecting and omitting duly to build on granted and conceded lots; the Hon^{ble} Director General *Petrus Stuyvesandt* and the Hon^{ble} Council, in order to prevent the same in future, have Resolved to appoint three Street surveyors (*Roymeesters*) to wit, the Hon^{ble} *Lubbert van Dincklage*, the Naval Officer *Paulus Leendersen*, and the Secretary *Cornelis van Tienhoven*, whom we hereby authorize and empower to condemn and in future to stop all unsightly and irregular Buildings, Fences, Palisades, Posts, Rails, etc. Therefore, we Order and warn all and every of our Subjects, who from now henceforth are inclined to build on, or inclose any Gardens or Lots within or near the city *New Amsterdam*, not to proceed in the erection or construction thereof without the previous knowledge of, speaking to and survey by the aforesaid appointed Street Surveyors, under a fine of 25 Carolus guilders and the abatement of what they have built or set up. In like manner, we will have all and every who have heretofore received any lots, warned and notified to build within Nine months from this date, regular, good and decent houses on their lots, according to law, or in default thereof, such unimproved Lots shall be forfeit to the Patroon or Lord proprietor, or shall be conveyed to whomsoever he pleases.

Thus done in Council in *Fort Amsterdam*, Present the Hon^{ble} Director *Kieft* (sic) M^r *Dincklage*, Mr. *La Montagne*, Lieutenant *Nuton*, *Paulus Leendersen* Naval Officer, and *Jan Claesz. Boll*. 25 July A° 1647.

ORDINANCE

Of the Director and Council of New Netherland establishing a Board of Nine Men. *Passed 25 September, 1647.*

[N. Y. Col. MSS. IV. 884.]

PETRUS STUYVESANT, on behalf of the High and Mighty Lords States General, his Serene Highness the Prince of Orange and the Hon^{ble} Directors of the General Incorporated West India Company of the United Netherlands, Director general of *New Netherland* and the *Curacao* islands, Captain and Commander in Chief of the said Company's Ships and Yachts in this Northern part of *America*; together with the Hon^{ble} Council.

To all those who shall read, or hear these Presents read, Greeting:

WHEREAS We, pursuant to Our Commission and Preamble.
general Instruction, desire, wish or require nothing else but that this government of *New Netherland* entrusted to Us, and especially this Our Capital and residence, *New Amsterdam*, may grow and advance in good order, justice, police, population, prosperity and mutual peace and improvement; be provided and furnished with a proper and strong Fort, a Church, School, Sheet-piling, Pier and similar highly necessary public and common works and buildings, whereunto We, in pursuance of our concurrent Instruction, are commanded to solicit the coöperation of the Commonalty, as such concerns their own welfare and defence, and is customary in all well ordered Governments, Colonies and Places; Yet, however, being

Board of
Nine Men
to be chosen.

disinclined to burthen and oppress, by virtue of our granted Commission and Instruction, the good and peaceable Commonalty, our dear Vassals and Subjects, by exactions, impositions and intolerable taxes, but rather to induce and solicit them, by a more reasonable manner of consent, to lend a helping hand in such honorable and most necessary works; And whereas it is difficult to bring so many heads under one capoch, or so many votes into one voice, We have, by the advice of our Council, heretofore proposed and submitted to the Commonalty that they, without passion or hatred or envy, select twice the number of Nine persons from the most notable, most reasonable, most honorable and most respectable of our Subjects, in order that a single number of Nine persons may be chosen and appointed from them to confer, as Selectmen, with us and our Council, on the subject of such approval and coöperative means, and to assist, to the best of their knowledge and information, in promoting and forwarding the welfare both of the Commonalty and of the Commonwealth; whereunto, then, on the day aforesaid, a double number being selected by our dear subjects, the good Commonalty, are by Us and our Council therefrom chosen, to wit:

Their
Names.

From the Merchants—*Augustyn Heerman, Arnoldus van Hardenberch, and Govert Loockermans;*

From the Burghers—*Jan Jansen Damen, Jacob Wolphertsen and Hendrick Kip;*

From the Farmers—*Machiel Jansen, Jan Evertsen Bout and Thomas Hall,* as Spokesmen for the Commonalty, who having taken the oath of fidelity to Us and the Hon^{ble} Council to regulate and govern themselves in conformity to reason and the Orders and Instructions yet to be given, are hereby confirmed in their abovementioned quality, under the following Rules:

First. That they as good Spokesmen and Agents of the Commonalty will aim at, and as far as lies in their power, help to promote the honor of God and welfare of our dear Fatherland, the greatest advantage of the Company and the prosperity of the worthy Commonalty here, and the advancement of the pure Reformed Religion as taught at this day in the Church here, and in *Netherland*.

Their
Duties.

Second. That they shall not set up and form any private Conventicles and Meetings, much less consultations and resolutions, without the knowledge and advice of the Director General and his Council, or without his special and particular Order, except only, when legally convened and having heard the proposals of the Hon^{ble} Director General and Council, they can adjourn and take a recess in order to confer with each other upon, and to consider such proposals and thereafter to give advice: Provided, nevertheless, that the Director General retains the power to commission himself or some one of the Council to act as President at such our consultations and deliberations, to collect the votes and to make a report to the Council.

Not to hold
private
Meetings.

To meet
only when
authorised.

Director
General to
appoint the
President of
the Board.

Third. Whereas in consequence of the increase of the Inhabitants, Lawsuits and disputes which parties bring against each other, are multiplied, and also divers questions and quarrels of trifling moment, which can be determined and disposed of by Arbitrators, but, in consequence of matters of greater importance, frequently remain over and undecided, to the prejudice and injury of this place and the good people thereof, and also to the great expence, loss of time and vexation of the contending parties, three out of those chosen shall have access once a week, on Thursday, the usual Burgher Court day, to our general Council as long as civil cases are before the Court in order to obtain a knowledge of the cases

Increase
of Lawsuits.

Three of the
Nine Men
to attend
the Weekly
Court.

and parties who might be referred to them as Arbitrators and Good Men ; to wit, one from the Merchants ; one from the Burghers ; one from the Farmers, which shall regularly rotate every month. And if one of them be indisposed or absent, he may subordinate another of the elected in his place ; And parties referred by the Council to them as Arbitrators and Good Men and being judged shall remain bound to submit without opposition to the pronounced decision, or in default thereof be fined One pound Flemish for the first time, to be paid before the aggrieved party can appeal, or obtain a hearing before our Council from the decision of the Good Men.

In rotation,
and

To act as
Referees.

Appeals.

Their
Successors,
how to be
appointed.

Time for
nominating
them.

Fourth. The number of the Nine elected Select Men shall continue until further Order and circumstances, saving that Six shall retire annually, and 12 picked out from the most qualified Inhabitants, which names shall be returned to us by the Nine Men assembled *collegialiter* without its being necessary to convene the entire Commonalty hereafter, which Meeting shall take place on the last of December following the next New Year's day and so every year afterwards.

Thus done and enacted in Council, 25 September A° 1647. (Signed) *P. Stuyvesant, L. Van Dincklage, La Montagne, Brian Newton, Paulus Leendersen van die Grift and A. Keyser.*

ORDINANCE.

Of the Director and Council of New Netherland providing for the
Completion of Fort New Amsterdam. *Passed 22 November, 1647.*

[N. Y. Col. MSS. IV. 852.]

WHEREAS Fort *New Amsterdam* is entirely out of repair, and it is highly necessary that it be placed at the earliest and most convenient opportunity in a thorough and complete state of defense, in order, therefore, to the speedy and diligent consummation of that noble work, which not only tends to the reputation of this Province but also affords a safe asylum to the Inhabitants of this place in time of danger (which God avert), We, the Director General and Council of *New Netherland*, have deemed it proper and highly necessary, in pursuance, also, of an order of the Hon^{ble} Directors thereunto, to request the Commonalty to lend a helping hand to this laudable work, prized by all Nations, and in order that the Commonalty may not be aggrieved by heavy and intolerable burthens, We have judged it to be the best means of all, that every Male person from 16 to 60 years, shall each for himself work twelve days in the year at the said Fort, or whoever finds it inconvenient to perform such labor, shall be exempt therefrom on payment of two Guilders for each day.

Preamble.

All Males
between 16
and 60 to
work
twelve days
annually at
the Fort.

Price of
Exemption.

RESOLUTION

Of the Director and Council of New Netherland respecting loose Wampum. *Passed 30 November, 1647.*

[N. Y. Col. MSS. IV. 352.]

Loose
Wampum to
be current.

Imperfect
Beads
declared
Bullion.

RESOLVED and concluded in Council at *Fort Amsterdam*, that, until further Order, the loose Wampum shall continue current and in circulation; only that in the meanwhile, all imperfect, broken and unpierced beads can be picked out, which are declared Bullion, and shall, meantime, be received at the Company's counting house as heretofore. Provided that the Company, or anyone on its part, shall, in return, be at liberty to trade therewith among the Merchants or other Inhabitants, or in larger parcels as may be agreed upon and stipulated by any individual, or on behalf of the Company.

ORDINANCE

Of the Director and Council of New Netherland forbidding Brewers to retail, and Tavern keepers to manufacture Beer. *Passed 12 January, 1648.*

[N. Y. Col. MSS. IV. 356; XVI. 10.]

Preamble.

Brewers not
to sell Beer
by retail.

Tapsters
not to brew
Beer.

THE Director and Council of *New Netherland* having observed that there are, in and around the city of *New Amsterdam*, Brewers who tap and sell by retail, whence it may arise and happen that the Beer when brewed and thus retailed is not duly entered nor the legal excise thereon paid, Therefore, the said Director General and Council, in conformity to the rule and customs of *Holland*, forbid, as they do hereby, all who brew in and around this city, from tapping, retailing or selling Beer by the can or glass, and all Tapsters from brewing or allowing others to brew for

them, on pain of forfeiting all such Beer as shall be found on such Brewers' or Tapsters' premises, and in addition, of being excluded from trade during months. Penalty.

Thus done the 12 January, A° 1648.

RESOLUTION

Of the Director and Council of New Netherland opening the Trade to Brazil and Angola, and authorizing the Importation of Slaves into New Netherland. *Passed 20 January, 1648.*

[N. Y. Col. Doc. I, 215.]

RESOLVED, that private Inhabitants of *New Netherland* shall be allowed to export their Country produce under suitable duty, in their own or chartered Ships, to *Brazil* and *Angola*, on these following conditions: First, that the aforesaid ships, when in *Brazil*, shall not be at liberty to return back with Sugars to *New Netherland* aforesaid, but shall let themselves be chartered directly hither. Secondly, that the permit to proceed to *Angola* abovementioned shall be granted only provisionally, and that for the time that the dispensation shall continue in regard to the transportation of Slaves, which was accorded on Thursday last. Thirdly, that those willing to go to *Angola*, shall, previous to their departure from *New Netherland*, take out a commission and permit from here, and also give security similar to all other private persons sailing from this country.

Trade to
Brazil and
Africa
opened to
New Nether-
land.

Conditions.

Slaves to be
imported
from
Angola.

NOTE.—The Directors at *Amsterdam* communicating the above resolution to Director *Stuyvesant* on the 7 April, 1648, wrote as follows:

“It is provisionally resolved (by the States General) that all Colonists of the country there, shall be at liberty to convey from thence in their own, or chartered Ships, their produce of Flour, Fish, Beef, Peas and Beans, and all other articles, to *Brazil* and *Angola*; that said ships shall be privileged to receive freight again for these countries; but that such as have completed their trade in *Angola*, may carry Negroes to your place to be employed in the cultivation of the

Soil. By this Resolution you will perceive that you are at liberty to send one ship with all sorts of provisions to *Angola*, to convey, in return, Negroes thither. Please, therefore, seize on this opportunity as soon as possible, with the provisions which, you say, you will have remaining." N. Y. Col. MSS. XI. 12.

I do not find any minute of such a ship, or of any vessel having been sent to *Africa* from *New Netherland*, in consequence of the above resolution and instruction. Tr.

ORDINANCE

Of the Director and Council of New Netherland prohibiting Wooden Chimneys, and appointing Firewardens in New Amsterdam. *Passed* 22 January, 1648.

[N. Y. Col. MSS. IV. 357; XVI. 10.]

Preamble.

THE Hon^{ble} Director General of *New Netherland*, *Curacao* and the Islands thereof, and the Hon^{ble} Council having by experience seen and observed that some careless people neglect to keep their Chimneys clean by sweeping, and do not pay attention to their fires, whereby recently two Houses were burned and greater damage is to be expected in future from fire, the rather as the houses here in *New Amsterdam* are for the most part built of Wood and thatched with Reed, besides which the Chimneys of some of the houses are of wood, which also is most dangerous; Therefore the Hon^{ble} General and Council aforesaid have considered it proper and most expedient to provide herein, wherefore the said Hon^{ble} General and Council Ordain, enact and command as they hereby do, that from now henceforward no Chimneys shall be built of wood or [lath and] plaister in any houses between the Fort and the *Fresh Water*, but those already erected may remain until further order and pleasure of the Firewardens; and in order that the foregoing shall be well observed, to that end are appointed as Firewardens—from the Hon^{ble} Council, Commissary *Adriaen d' Keyser*; from the Commonalty, *Thomas Hall*, *Marten Crigier* and *George Wolsey*,

Chimneys
of wood
prohibited.

Firewardens
appointed.

Their
names.

with power at their pleasure to see if the Chimneys in all houses situate and standing within this city every where around, between this Fort and the *Fresh Water*, are kept well cleaned by sweeping, and if anyone be found negligent he shall, every time the Firewardens aforesaid examine and find the Chimneys foul, pay them forthwith, without any contradiction, a fine of three Guilders for every fine found on examination to be dirty, to be expended for Fire ladders, Hooks and Buckets which shall be procured and provided at the earliest and most convenient opportunity, and if any one's house be burned, or be the cause of fire, either through negligence or by his own fire, he shall forfeit 25 florins to be applied as above.

Their
powers.

Penalty
for foul
Chimneys.

Fines
how to be
applied.

Thus done and enacted in *Fort Amsterdam* in *New Netherland*, the 23d January, A° 1648.* Published.

ORDINANCE

Of the Director and Council of New Netherland further regulating the Fur trade and imposing a Duty on Exported Furs. *Passed 29 January, A° 1648.*

[N. Y. Col. MSS. IV. 359.]

It is unanimously considered in Council proper and advantageous, most serviceable, expedient and profitable for the Hon. West India Company, and also for the better prevention of Smuggling, to mark the Beavers, Bearskins, Otters and Elkhides with the Company's mark so soon as they will be brought here from other places; provided that whoever shall have the Beavers stamped, shall be responsible for the duty.

Beavers
and other
Furs to be
marked.

Likewise, all Merchants and Traders shall remain bound to enter all Peltries, bartered, trucked or purchased either from Heathens or Christians, with the Commissaries of the Company either at or about

And
entered.

* In the copy of this Ordinance in Vol. 16, the date is 28 January, 1648.

Fort Orange, Fort Nassau & the House the Hope, and to bring with them a certificate thereof signed by the Commissary. Further, all other Peltries which may be traded or bought on the way hither between [the *Manhattans* and] *Fort Orange* or the *South river* or at any other quarter where there are no Commissaries of the Company, must be entered by the Owner, immediately on arriving in the roadstead here before the Fort, or if anyone shall be found to have acted otherwise, the Peltries which may then be discovered shall be held and declared confiscable. The Trader shall enter with the Receiver the Peltries which are procured on the Island of *Manhattan* or elsewhere in its vicinity from the Natives or others, three days after he has traded or bought them, on pain of confiscation.

Penalty.

Export
Duty
on Furs.

There must be paid, from this day forward, and until further order and circumstances, at the Company's counting house as duty, for every whole Beaver 15 stivers; for one Otter 15 stivers; for one Bearskin 15 stivers; an Elkhide 15 stivers; for each Deerskin 5 stivers; a coat of Raccoon, Wild Cat and of Fisher's skins, 15 stivers each; 10 single skins counted for one coat also 15 stivers, and all that from the Peltries which are entered for exportation.

Thus done and enacted the 29th January, A° 1648, in *New Amsterdam*.

NOTE.—1648, *January 22*. The Directors at *Amsterdam* in a dispatch to Director Stuyvesant of this date, express their "surprise that he has somewhat altered the Duty on Exported Peltries; receiving for the Beavers, Otters, Bearskins and Elkhides each piece, 15 stivers; and for the Deerskins 5 stivers, for which 8 per cent was received before. It is our opinion," they add, "that it had been better not to have done so. No good can come of changing all those Resolutions without the knowledge of the Assembly of the XIX. Circumstances do not warrant the taxing of these Goods higher than before, tho rather as Beaver which people were accustomed to buy for 8 @ 9 florins, are now sold for 8, 7 and 8 florins, according to quality." *N. Y. Col. MSS.* XI. 14. See Ordinance of 4 September, 1652, in which the Duty is reduced. TR.

ORDINANCE

Of the Director and Council of New Netherland against Goats and Hogs running at large in New Amsterdam. *Passed 10 March, 1648.*

[N. Y. Col. MSS. IV. 366; XVI. 14.]

WHEREAS the Hon^{ble} Director General and Council of *New Netherland* have daily seen and remarked that the Goats and Hogs here around *Fort Amsterdam* daily commit great damage in Orchards, Gardens and other improvements, whereby it follows not only that the planting of beautiful Orchards and Gardens are prevented, but considerable damage is done to Individuals. Therefore the Hon^{ble} Director General and Council, willing to provide herein, do, from this time forward, Ordain and Enact that no Goats nor Hogs shall be pastured or kept between the fortification of *New Amsterdam* (or its vicinity) and the *Fresh Water*, except within each its own inclosure, and that so well constructed that the Goats do not leap over it, and commit damage on any person; Also, Goats beyond the *Fresh Water* shall not be pastured without a Herdsman and Keeper, on pain of having the Goats found at large on this side of the *Fresh Water*, or without a Herdsman or Keeper beyond it, taken up by the Fiscal and declared forfeit by the Hon^{ble} Director General and Council. Let every one be warned hereby and take heed against loss.

Thus done in Council at *Fort Amsterdam* in *New Netherland*, the 10th March, A^o 1648.

NOTE.—Another copy of the above Ordinance is in Vol. 4: 372, dated 16 March, 1648. TR.

Preamble.

Goats and Hogs not to run at large within *New Amsterdam*.

Goats near the city to be herded.

ORDINANCE

Of the Director and Council of New Netherland for the regulation of Trade and Navigation; the establishment of a weekly Market and an annual Fair, and declaring the East river free to all nations. *Passed 10 March, 1648.*

[N. Y. Col. MSS. IV. 366.]

PETRUS STUYVESANT on behalf of the High and Mighty Lords States General of the *United Netherlands*, his Highness of *Orange* and the Hon^{ble} Directors of the Incorporated West India Company, Director General of *New Netherland*, *Curacao*, and the Islands thereof, together with the Hon^{ble} Council.

To all those who shall see these Presents, or hear them read, Greeting.

Preamble.

WHEREAS We, pursuant to the good intention and order of the aforesaid High and Mighty Lords States General, his Serene Highness and the Hon^{ble} Directors, would not witness nor promote any thing more readily than the prosperous increase and peopling of this Province of *New Netherland* and the general good and welfare of the worthy Inhabitants thereof, whereunto first of all are required sound Laws and Ordinances as well in the matters of Trade, Navigation, Building, as of Municipal government and local regulations, Therefore, We having taken and still taking into more serious consideration and deliberation the Petition and written Remonstrance of the Nine elected Selectmen, our good and dear subjects, wherein they represent, and by sorrowful experience verify the daily decline and violation of Trade and Navigation, proceeding for the most part from the underselling, frauds, smuggling perpetrated by the one against the other, principally by such as take little or no interest in this new growing Province and feel little concern and care for its prosperity and welfare, and therefore, do not benefit it either by

Bouweries or Buildings, but solely applying themselves, with small capital and cargoes, (for which they hire for a brief period only one room or house) to the Beaver and Fur trade, and having traded and trucked said peltries from the good Inhabitants, or the Natives sufficiently high beyond their value, have recourse to all sorts of means, by night and at unseasonable hours, to convey them secretly out of the Country, or to the North, without paying the proper duty thereon, and having enriched themselves by these and other illicit practices and means, they take their departure and go back home without conferring or bestowing any benefit on this Province or the Inhabitants thereof. By this underselling and fraudulent trade, the Wares and Merchandizes of others who, by means of Bouweries or with handsome Buildings in regard to this place, interest themselves in the Country, are depreciated and remain unsold to their great loss and damage. Wishing as far as in our power lies, to remedy and prevent the aforesaid, in order to the establishment of a more stable course of Commerce and mutual Trade, for the greater advantage of the oldest and interested Inhabitants and to promote the prosperity and increase of this place, *New Amsterdam*, We the abovementioned Director and Council do, Therefore, hereby Ordain and enact on the subject of Trade as follows :

That no person shall henceforward be allowed to keep a public or private Shop on shore, in cellar or garret, or to carry on any Trade by the small weight and measure within our Government in the Province of *New Netherland*, except our good and dear Inhabitants who, before they have taken the Oath of Allegiance, own real estate (*syn gehuysten gehooft*) at least to the amount of two to three thousand guilders and have promised to reside, or at least to keep fire

Retail Store-keepers

To own Real Estate, and to keep fire and light.

Actual
Retail Store-
keepers
excepted,

Who are to
remain four
years in the
Country,
and

To use
Dutch
Weights
and
Measures.

Penalty.

Foreign
Merchants
permitted to
sell their
Goods on
board their
ships by
wholesale
and retail on
entering the
same and
paying the
Duties, and

Using Dutch
Weights and
Measures.

and light in their own House, here in the land within this Province during four consecutive years; With this exception and reserve however, that those who are already sworn and faithful subjects may, although not interested to the above amount in the country, nor Proprietors of real estate, continue their undertaken trade and business for the support of their house and family, and purchase Wares and Merchandizes in large and small quantities, each according to his circumstances and means, from the wholesale Merchants and Traders, in order to retail them again by the pound and small measure, provided they promise and engage to remain four consecutive years within this government, or not to depart out of it without the knowledge and special consent of the Director General *in loco*, also not to make use, in buying and selling, of any other Ell, Weight or Measure than the legal Ell, Weight and Measure of our name-giver, Old *Amsterdam*, hitherto in general use here, on pain of suspension of business and, in addition, a fine of twenty-five Guilders.

Item. In order to preserve and maintain trade and commerce with all new comers, whether Merchants, Factors or Scotch from Fatherland and elsewhere; also, with our neighbors of *Virginia* and *New England*, &c. and to prevent all Monopoly, and the better to accommodate the Inhabitant, it is permitted and allowed to those persons to supply daily, Sundays excepted, the Burgher, Inhabitant and Stranger, with goods in large and small quantities from their Ships, Yachts and Sloops, provided that the Goods and Merchandizes are in the first instance properly entered, and the previously enacted and customary Duties on what is sold correctly paid at the office of the Receiver, and in the buying and selling no other Weight, Measure nor Ell be used than that in use here, on the penalty aforesaid.

In like manner, also, are hereby given and granted to the Stranger and Inhabitant, a Weekly Market-day, to wit Monday, and annually a Free Market for ten consecutive days, which shall begin on the first Monday after Bartholemew's day* New style, corresponding to the legal Amsterdam Fair, on which weekly and annual days the Neighbor and Stranger, as well as the Inhabitant, are allowed and permitted to supply the purchaser from a Booth, by the ell, weight and measure, wholesale and retail, according to the demand and circumstances of each, in conformity to the weight, ell and measure as aforesaid, and no other.

Market day, and an annual free Market, established, when

Booths may be erected for the sale of Goods.

With regard to the navigation which is the chief means whereby commerce, trade and traffic are preserved and sustained, the Director General and Council are informed and see by experience, that considerable Fraud, Smuggling, abuses and illegalities have for sometime past crept in and are taking deeper root daily, through the illicit gain by which many, being misled, abandon their usual business, occupation, employment and trade, and invest all their means in one or another vessel, in which they not only lodge and board, without conferring any benefit on this place, or country, but, under pretext of procuring Maize or other Grain, corrupt, defraud and ruin the trade both in Wampum and Peltries with the Natives, to the great loss and damage of the honest Traders, Merchants and Inhabitants of this place, for the redress and prevention whereof the Hon^{ble} Director General and Council do hereby Ordain and Enact, that no person shall henceforth be at liberty to frequent, navigate, or trade at the South or the North River, or in any Bays, Kills and Creeks situate up and between them, except only the Burgbers and Inhabitants of this City who possess real

Abuses in Trade.

Proprietors of Real Estate in New Amsterdam only to trade to the South and North Rivers.

* 24th of August.—TR.

Traders to
take out a
permit and
clearance,
and

To give in
correct
returns of
their
Cargoes.

estate therein to the aforesaid amount of Two @ Three thousand guilders, whereunto, however, they, pursuant to an old Ordinance and Custom, shall previously seek and obtain from the Director General an act and commission and at each voyage a clearance, to be exhibited to the Commissary and Officer there, and apply to him again for another to be shown to us or our deputy here, on which shall appear and be entered the correct quantity and quality of the freighted wares and Merchandizes and returns, without concealing any thing in the least thereof, on pain of confiscation of all concealed Merchandizes and Peltries in said Ship, Yacht or Sloop whether they be shipped and conveyed on private account or on freight. We likewise order our Fiscal here, and Commissaries, Officers and Servants residing at *Forts Orange, Nassau* and elsewhere, to pay strict and close attention to drawing up, examining and exacting of such clearances, on pain of dismissal.

Reserva-
tion.

Item. To the intent that these presents be the better understood and cleared of all cavil and obscurities, the Director and Council aforesaid reserve unto themselves the power to grant at their will and pleasure, for a few months, Commission to trade at said Rivers, Streams and trading posts, but only to such as are actually sworn Inhabitants and Vassals in this place, having taken the Oath of Allegiance and entered into bonds to continue under our government four consecutive years, although they have not in fact invested the aforesaid sum nor own a domicile in the Country; provided that they promise and engage, in the meantime, to adorn this place with a decent and burgherlike building and invest in the Country according to their rank and means; but no other person shall be permitted or allowed to have built or to buy new Yachts, Sloops or Vessels, unless

Proprietors
of Real
Estate in
New Amsterdam
only
allowed to
build or
purchase
new Vessels.

re own real estate in the aforesaid city of *New Amsterdam*, below the *Fresh Water*.

Item. They reserve unto themselves, in order to promote greater intercourse and mutual commerce both between the Colonie *Renselaerswyck* and other places annexed and subject to this Government, to admit such Colonie into this civil Exemption and Privilege, for one, two or three Vessels according to circumstances and the exigencies of affairs, provided that the persons own real estate there or here to the amount aforesaid, and remain subject to the regulations previously and herein made and hereafter to be enacted.

Proprietors
in the
Colonie of
*Renselaers-
wyck* and
other places
in *New
Netherland*
to be
admitted
to the
privileges
of this Act.

The navigation of the East River as well toward this place as toward our allies and neighbors and English *Virginia*, is left open and free as heretofore, to all persons of what quality or nation soever they may be, on condition that all our Inhabitants, whether of this or of other places under our Government, shall apply for and obtain a new Commission and Permit and correctly enter with the Fiscal, or in his absence at the Office of the Receiver, the Goods and Merchandizes which they transport hither and thither; and such persons are hereby warned that all Merchandizes, Wares and Returns, without any exception but Firewood, Clapboards, Lime and Stone, which are not entered, shall be liable to confiscation together with the Boats, Barks, Lighters and Canoes in which the same may be found.

East River
declared
free.

Imported
and
Exported
Goods to
be entered;

Except
Firewood,
Clapboards,
Lime and
Stone.

We ordain and enact that the previous Ordinance and Regulation respecting the anchoring of Large and Small Vessels* being published and posted anew, shall be strictly observed, respected and obeyed; to wit, that no Yachts shall anchor except at the appointed anchorage, and not remove thence until being visited by the Fiscal, they afterwards have

Previous
Ordinances
renewed.

Vessels to
anchor at
the place
designated,
and not
move
therefrom
without a
permit.

* See *supra*, p. 71.

receive from the Director, or, in his absence, from the Fiscal, a written Permit to discharge elsewhere.

No Vessels
to be
boarded or
discharged
between
Sunset and
Sunrise,

We do again Ordain and enact, for the prevention of scandalous Smuggling, that no Boats, Barges, Yawls nor Canoes shall, in the evening after sunset and in the morning before sunrise, go on board of, or leave any Vessel, or discharge or land any Goods or Merchandizes, under a penalty of one pound Flemish, and all Goods and Merchandizes found therein, unless a special permit on account of some pressing haste and necessity and circumstance, be previously asked for and obtained from the Hon^{ble} Director, or, in his absence, from the Vice Director or Fiscal.

Unless by
special
permit.

We also command our Fiscal strictly to enforce and execute this our Regulation and Ordinance together with the other, after the publication and posting thereof, and to proceed against the Contraveners thereof without any exception, according to the tenor of these presents.

Thus done in Council, the 10 March, A° 1648, in *New Amsterdam* in *New Netherland*.

NOTE.—The Directors at Amsterdam disapproved of some of the clauses contained in the preceding Ordinance, which eventually led to the establishment of the law of Burgherright:

“Your Honor proposes that no person ought to carry on any business there, except those who are willing to oblige themselves to continue to reside there 3@4 years, and that no person should sell any thing there by the small measure, except on the same conditions. Also, that no person shall navigate the river with any vessel except Burghers who have permanent residences there, and have real estate to the amount of 3@4 thousand guilders.

* * * * *

“We will observe thereon, that we should greatly desire that the Company were in such a position as to be able to prevent, according to your good intention, all these private extortioners; but we find it for the present impracticable. Therefore, your Honor must, in the first place, temporize on all these points, until more favorable circumstances.” *Directors to Stuyvesant, 27 January, 1649. N. Y. Col. MSS. XI, 14.—TR.*

ORDINANCE

Of the Director and Council of New Netherland regulating Taverns
in New Amsterdam. *Passed 10 March, 1648.*

[N. Y. Col. MSS. IV. 370; XVI, 11.]

PETRUS STUYVESANT, Director General of *New Netherland, Curacao, etc.*, and the Hon^{ble} Council,

To all those who shall see these Presents or hear them read, Greeting.

WHEREAS we see and experience that our former Edict enacted against unseasonable drinking to excess both at Night and on the Sabbath of the Lord,* to the scandal and shame of Us and Our Nation is not observed and obeyed according to our intent and meaning, we hereby renew the same, and do Ordain and enact, that it shall henceforth be put, maintained and executed in stricter observance and force, pursuant to the tenor and provisions therein set forth.

Preamble.

Law against drinking at night and on Sunday, renewed.

Meanwhile, the reason and cause why this our good Edict and well meant Ordinance is not obeyed according to the tenor and purport thereof are, that this sort of business and the profit easily accruing therefrom divert and lead many from their original and primitive calling, occupation and business to resort to Tavern-keeping, so that nearly the just fourth of the city *New Amsterdam* consists of Brandy shops, Tobacco or Beer houses, by the multitude, whereof not only are more honorable Trades and occupations neglected and disregarded, but even the Common people and the Company's servants seriously debauched; and what is still worse, the Youth, seeing and following, as from their very childhood, this improper example of their Parents, are drawn from the path of Virtue and into all sorts of irregularity. Hence, also, proceed Cheatings, Smuggling, and frauds and the clandestine sale of Beer and Brandy

Nearly one fourth of the houses in *New Amsterdam*, devoted to the sale of Liquor.

Bad effects thereof.

See *supra*, p. 61.

to the Indians and Natives, as daily experience, God help us! shows, from which nothing but new difficulties between us and them are to be apprehended; and, moreover, decent Taverns established and licensed for the use and accommodation of Travelers, Strangers and Inhabitants which honorably and honestly pay their Taxes and Excise and own or lease suitable houses, sitting under heavier expenses, are seriously injured in their licensed and lawful business by these underground Groggeries. Wherein being willing to provide according to the exigency of affairs, the circumstances of the time and our ability, Therefore we, the Director General and Council aforesaid, on the subject of the Tapsters and Tavern-Keepers do Ordain and enact the following Regulation and By-Law.

1.

No New
Taverns to
be set up
without
permission.

First, henceforward no new Ale houses Taverns nor Tippling places shall be opened or set up except with the previous special knowledge and consent of the Director and Council unanimously granted and expressed.

2.

Tavern-
keepers, &c.,
already
established
to continue
four years
and to
provide
themselves
with decent
houses;

Taverns, Alehouses and Tippling places already established may continue at least four consecutive years more, but, in the meantime, remain bound and obliged to supply themselves, like other decent trades in this place, with proper and respectable citizen houses for the embellishment and improvement of this city *New Amsterdam*, each according to his state, quality and circumstances, pursuant to the Ordinance and regulation for buildings made by the Director and Council, by the advice and with the knowledge of the City Surveyors (*Roymeesters*).

3.

Tavernkeepers and Tapsters, who are allowed for certain reasons to continue this business for at

least four years more, may change their trade, but may not transfer to another their business of tapping or selling liquor, nor hire nor sell their house and dwelling to anyone else for that purpose, unless with the previous advice, full consent and permission of the Director and Council.

May change their business, but not transfer that of selling Liquor, nor sell their houses for that purpose;

4.

Item. Tavernkeepers and Tapsters from now henceforward shall not sell, barter nor give, as a present, either by the first, second or third hand, nor provide the Natives with any Beer, Wine, Brandy or Spirituous liquors, on pain of forfeiting their business and of an arbitrary correction at the discretion of the Judge.

Shall not furnish Liquor to Indians.

5.

Item. To prevent all Fightings and Mischiefs, they shall be obliged to notify the Officer immediately in case anyone be wounded or hurt at their house, on pain of forfeiting their business and one pound Flemish for every hour after the wound or hurt has been inflicted and is concealed by the Tapster or Tavern keeper.

In case of fighting in a Tavern, proprietor must notify the Officer.

6.

The Ordinances heretofore published against unseasonable Night reveling and immoderate Drinking on the Sabbath, shall be observed with more strict attention and care by the Tavernkeepers and Tapsters, to wit: That they shall not admit nor entertain any company in the evening after the ringing of the Farmers' bell, nor sell nor furnish Beer or Liquor to any person, Travelers and Boarders alone excepted, on the Sunday before three o'clock in the afternoon when Divine service is finished, under the penalty thereto affixed by law.

Not to entertain any persons after the ringing of the evening Bell, or sell Liquor on Sundays, before three o'clock;

7.

Item. They shall be bound not to receive directly nor indirectly into their houses or cellars

Nor receive any Liquors without a permit.

any Wines, Beer or Strong liquors before these are entered at the office of the Receiver and a permit therefor received, under forfeit of such their business, Beer and Liquors, and in addition, a heavy fine at the discretion of the Court.

8.

Tavern-keepers to furnish their names and promise to observe the provisions of this Law.

Lastly. All Tavernkeepers and Tapsters who are inclined to continue their business shall, within the space of eight days after the publication and posting hereof, give and hand in their address and names to the Director and Council and there solemnly promise punctually to observe in all its parts what is enacted, or may hereafter be enacted on the subject of Tapsters and Tavern keepers, and conduct themselves decently in their calling as good and faithful subjects, &c.

Thus done in Council in *Fort Amsterdam* in *New Netherland*, the 10 March, Anno 1648.

ADDITIONAL PRIVILEGES

Granted by the Director and Council of New Netherland to the Town
of Flushing. 27 April, 1648.

[N. Y. Col. MSS. IV. 332.]

WHEREAS divers misunderstandings have heretofore arisen among the Inhabitants of *New Flushing* in *New Netherland*, the said Inhabitants have, therefore, referred the question to the Director General and Council, to whose decision they have voluntarily submitted themselves; in like manner they have in writing referred the election of Schout and Schepens there to the said General and Council, having only provisionally named and proposed to the Hon^{ble} Director and Council *John Onderhill* as Schout; *John Touden*, *John Hicz*, *William Toorn*, for Schepens and Selectmen, and *John Laurence*, for Clerk, before whom all Civil Suits under 50 Guilders shall be brought, and that pursuant to the written Order to that end granted to the Inhabitants of *Flushing*.

Preamble.

Officers
recom-
mended for
the Town of
Flushing.

Civil juris-
diction of
the Court.

Therefore, after Consideration of the Matters herein to be deliberated, for the greater tranquillity of the Province, and the assured peace and unity of said village of *Flushing* is *John Onderhill* by us chosen for, and appointed Schout, and the said persons Schepens and Clerk, provided that the Schout and Schepens shall take the Oath of Allegiance and uprightness punctually to follow in all Civil Cases the written Rule and Articles already issued and enacted for them. Which being done, We charge and command the Inhabitants of our Town of *New Flushing* to respect said Persons each in his quality, and to lend them a helping hand in the execution of their office.

Officers
Appointed,

To take cer-
tain Oaths.

Thus done the 27 April, A° 1648 in *Fort Amsterdam*
in *New Netherland*.

ORDINANCE

Of the Director and Council of New Netherland for the better observance of the Sabbath. *Passed 29 April, 1648.*

[N. Y. Col. MSS. IV. 382; XVI. 14.]

PETRUS STUYVESANT, on the behalf of the High and Mighty Lords States General of the *United Netherlands*, his Highness the Lord Prince of Orange, and the Hon^{ble} Directors of the General Incorporated West India Company, Director General of *New Netherland*, *Curacao* and the Islands thereof, together with the Hon^{ble} Council.

Preamble.

WHEREAS we see and find that, notwithstanding Our well meant Laws and Ordinances, heretofore promulgated for the observance, and sanctification of the Holy Sabbath in conformity to God's holy command, they are not complied with and obeyed according to our good intent and meaning, but that it is still profaned and desecrated in divers ways, to the great scandal, offense and reproach of the Commonalty and foreign neighbors who frequent this place, the contempt and disregard of God's Holy Word and of our Ordinances deduced therefrom, Therefore, We, the Director General and Council aforesaid, in order to avert, as much as in us lies, from Us and our Subjects the wrath and chastisement of God to be apprehended from these and other transgressions, do hereby renew and amplify our previous Edicts and Ordinances, having, for the stricter observance thereof, with the pre-advice of the Minister of the Gospel, deemed it expedient that a Sermon shall be preached from the Sacred Scriptures and the usual Prayers and Thanksgiving offered from this time forward in the afternoon as well as in the forenoon; Wherefore we request and command all Our Officers, Subjects and Vassals to frequent and attend the same; Meanwhile, in conformity with our aforesaid Ordinances, We forbid

Laws
against the
desecration
of the
Sabbath,
renewed
and
enlarged.

Afternoon
Sermon and
Prayers,
ordered.

during Divine Service, all Tapping, Fishing, Hunting, and other customary avocations, trading and business either in Houses, Cellars, Shops, Ships, Yachts, or in the streets and markets, under the penalty of forfeiting all such wares, merchandizes and goods, or their redemption with the sum of 25 florins, until further order to be applied to the Poor and the Church, and in addition thereto One pound Flemish to be forfeited as well by the Buyers as the Sellers, by the Lessees as by the Lessors, to be distributed one-half to the Officer, one-half at the discretion of the Court. In like manner, also, we do, hereby, interdict and forbid all persons on the aforesaid day, spending his time to the shame and scandal of others in gross drunkenness and excess, on pain, if so found, of being arrested by Our Fiscal and any superior and inferior Officer, and arbitrarily punished by the Court.

No Tapping,
Hunting,
Fishing nor
Trading
during
Divine
Service.

Penalty.

Drunkards
to be
arrested and
punished.

Thus done and, after reconsideration, enacted and published the 29 April, A° 1648, in *New Amsterdam* in *New Netherland*.

ORDINANCE

Of the Director and Council of New Netherland further prohibiting the sale of Intoxicating Liquor to Indians. *Passed 13 May, 1648.*

[N. Y. Col. MSS. IV. 384: FVI. 16.]

Preamble.

WHEREAS it is seen and observed by daily experience that, notwithstanding it is repeatedly forbidden in previous Edicts to tap, give, barter or sell by the third or fourth hand, directly or indirectly, any strong drink to the Indians or Natives of these parts, yet it may every day be plainly perceived that Indians are running drunk along the *Manhattans*, and that the people who reside at a distance suffer serious annoyance from drunken Indians, whence new troubles and wars, as heretofore, are to be apprehended, wherefore the Hon^{ble} Director General and Council have thought it necessary to renew once more the previous Ordinance and hereby most strictly to forbid, as we hereby do, the giving, bartering or selling of any strong drink, by what name soever they may be called,* and in case anyone after the date hereof be found (so offending), were it even that the Information be received from the Indians (to whom for weighty reasons credit shall be given in such case) he shall, in addition to the fine prescribed in the previous Ordinance, receive without any dissimulation, an arbitrary corporal punishment; for it is better that such evil disposed persons be punished than that a whole country and people should suffer in consequence of their acts.

No Liquor
to be fur-
nished to
Indians.

Evidence of
Indians in
this case,
admissible.

Penalty

Thus done the 13 May, Anno 1648, in Council in *Fort Amsterdam* in *New Netherland*.

* "to Indians"—seems to be implied, though not expressed in the Text. TR.

ORDINANCE

Of the Director and Council of New Netherland further prohibiting the Sale of Firearms, &c. to Indians. *Passed 19 August, 1648.*

[N. Y. Col. MSS. IV. 411.]

This is a Renewal of the Ordinance of the 23 February, 1645. *Supra*, p. 47.

ORDINANCE

Of the Director and Council of New Netherland obliging Scotch Merchants and Petty Traders to reside three years in New Netherland, &c. *Passed 18 September, 1648.*

[N. Y. Col. MSS. IV. 416.]

WHEREAS the Hon^{ble} Director General and Council Preamble
have seen and by experience remarked that several of the Scotch Merchants and Petty Traders who from time to time come over in the ships from Fatherland, do and aim at nothing else than solely to spoil trade and business by their underselling; they dispose of their goods with the utmost speed; give 11 @ 12 guilders in loose Wampum for one Beaver, and when sold out, go back again in the ships of that same year in which they come, without bestowing or conferring any benefit on the Country, all the burthens whereof, on the contrary, the Inhabitants who own property must bear.

Therefore, to prevent such destroyers of trade, it is judged proper and profitable for *New Netherland* and the Inhabitants thereof, and it is Ordained, that henceforth those Merchants, Scots and Petty traders who come over in any ships from *Patria* with intention to trade here either with Christians or Heathens by the large and small Measure, Ell and Weight, shall not be permitted to carry on any business in the least on shore here unless they take up their

Merchants
and Traders
to reside
three years
in *New
Netherland*,
and

Build
a decent
house in
*New
Amsterdam.*

Skippers
supercar-
goes and
owners
of their
own ships,
excepted.

abode here in *New Netherland* three consecutive years, and in addition build in this city *New Amsterdam* a decent citizen dwelling, each according to his circumstances and means; all Merchants and others who oblige themselves to transact business in a citizen house and to remain 3 years in the country, shall be admitted and none else, the Skipper or Merchant of his own or of his master's Ship alone excepted, but these shall not be at liberty to keep any Shop on shore.

Thus done in the presence of the Hon^{ble} Director General, Mr. *Dincklagen*, Mr. *La Montagne*, *Briant Nuton* and *Paulus Leendertsen* this 18th September, A° 1648, *New Amsterdam*.

ORDINANCE

Of the Director and Council of New Netherland for the better enforcing of the Ordinance against Fires. *Passed 28 September, 1648.*

[N. Y. Col. MSS. IV. 416; XVI. 16.]

Firewar-
dens to
inspect the
Chimneys.

Penalty
for foul
Chimneys.

THE Hon^{ble} Director General and Council of *New Netherland* order and command the Firewardens, for the purpose of preventing all calamities from fire, to visit every house in this city *New Amsterdam* and see that everyone is keeping his Chimney properly clean by sweeping, and to oblige those in default immediately to pay the fine of three Guilders, to be applied according to the Ordinance in this regard published on the 21 January, 1648.*

Thus done and ordained in the Council in *Fort Amsterdam* in *New Netherland* the 28 September, 1648; Present: the Hon^{ble} Director General, *L. Dincklage*, *La Montagne*, *Briant Nuton*, *Paulus Leendertsen*.

* See *supra*, p. 82.

ORDINANCE

Of the Director and Council of New Netherland for the recovery of
Wages due to Indians. *Passed 28 September, 1648.*

[N. Y. Col. MSS. IV. 417; XVI. 17.]

WHEREAS great complaints are daily made by Preamble.
Indians and Natives to the Hon^{ble} Director General
and Council that some Inhabitants of *New Netherland*.
put the Natives to work and employ them in their
service and frequently dismiss them without pay after
the work is performed, and persist, against all public
law, in refusing to pay the Indians for their labor,
which Indians threaten, if they are not remunerated
and paid, to pay themselves, or to revenge themselves
by other improper means; Therefore, the Hon^{ble}
Director General and Council, in order to put a stop
to and prevent as much as possible, in good time, all
mischief, will have all Inhabitants warned, who are
indebted any thing to the Indians for wages or
otherwise, to pay them without contradiction, and if
they in future employ them, they shall be bound to
pay them on the representation and complaint of the
Indians, who for good reasons shall, in that case, be
competent witnesses; on pain of paying such fine as
in the circumstances of the case shall be found proper.

Wages due
to Indians
to be paid.

Evidence of
Indians in
case of
dispute,
admitted.

Thus done in Council and published the 28th Sep-
tember, 1648, in *New Amsterdam*; Present: the Hon^{ble}
Director General, *L. van Dincklagen, La Montagne,*
B. Nuton and Paulus Leendertsen

ORDINANCE

Of the Director and Council of New Netherland against Fugitives from Service. *Passed 6 October, 1648.*

[N. Y. Col. MSS. IV. 418; XVI. 17.]

Preamble.

WHEREAS the Hon^{ble} Director General and Council daily see and observe that some of the Inhabitants of *New Netherland* harbor in their Houses and Dwellings the Company's Servants and other their domestics when they run away from their Lords and Masters, also those of our Neighbors who come hither from abroad, whereby many servants, when they are dissatisfied with their employment, are afforded a means and opportunity to run away, which is of daily occurrence, and because the Hon^{ble} Director General and Council would prevent and hinder such practices as much as is possible and practicable, Therefore, the Director General and Council hereby notify and warn all persons against harboring or entertaining anyone bound to service either to the Company, or to any private individual here or elsewhere, and against lodging and boarding them at most longer than 24 hours, and if any one shall be found to have acted contrary hereto, he shall forfeit a fine of fl.150 to be paid to whomsoever will make the complaint and it may appertain.

Persons bound to Service not to be harbored longer than 24 hours.

Penalty.

Thus done in Council the 6 October, 1648; Present: the Hon^{ble} Director General, *L. Dincklagen, La Montagne, B. Nuton* and *P. Leendertsen*.

ORDINANCE

Of the Director and Council of New Netherland for the speedier erection of Buildings in New Amsterdam. *Passed 15 December, 1648.*

[N. Y. Col. MSS. IV. 428; XVI. 18.]

WHEREAS the Hon^{ble} Director General and Council of *New Netherland* have long before this admonished the Commonalty by an Ordinance that their lots on the Island of *Manhattan* are laid out too large and bigger than they can be built on by some Inhabitants; And whereas some persons desire to build, and scarcely a spot is to be found hereabouts on which a house can be conveniently built, Therefore the Director General and Council aforesaid think it advisable to notify all persons once more for the last time to erect proper buildings on their lots, or in default, the Director General and Council will dispose of suitable places to those who are inclined to build houses in this city *New Amsterdam* and to allow the present proprietors for them a reasonable indemnity at the discretion of the Street Surveyors. Let every one be warned hereby, and if anyone intend to build he will please give in his name to the Secretary, which being done, proper order will be made thereon.

Preamble.

Proprietors
to build on
their Lots.

Penalty.

Thus done in Council and published and posted the 15 December, A° 1648, in *New Amsterdam* in *New Netherland*; Present: the Hon^{ble} the General, Mr. *Dincklage, La Montagne, Brian Nuton. Paulus Leendertsen.*

ORDINANCE

Of the Director and Council of New Netherland fixing the duty on
New Netherland Tobacco. *Passed 21 April, 1649.*

[N. Y. Col. MSS. IV. 436.]

THE Hon^{ble} Director General and Council of *New Netherland*,

To all those who shall see these Presents, or hear them read, Greeting, make known ;

Preamble.

That the Hon^{ble} Directors of the Incorporated West India Company, in order to assist and encourage this their dependency of *New Netherland* above all others, have, upon our earnest Remonstrance to them respecting the heavy duties on Tobacco, notified and made known to us by their last despatch, dated the 29 January, that henceforth no higher nor greater duty shall be imposed on *New Netherland* Tobacco cultivated and raised within the limits of their jurisdiction and this government entrusted to Us, than on the poorest Tobacco of the *Caribbean Islands*, to wit: Forty-five stivers ƒ 100, whereby the aforesaid Hon^{ble} Directors, our Patroons not only signify and manifest their favorable disposition towards this their dependency, seeing that this Tobacco is much more valuable and dearer than the other, but also evince their good intention and hope through this privilege to attract others and to encourage Population, Agriculture and husbandry, which we have thought necessary to publish and make known to the end that those who have already settled under, or should still wish to come into our government during this favorable season may have a knowledge thereof. We, therefore, command that this adopted Resolution of our Lords Patroons be published and affixed not only here at the *Manhattans*, but also in all other Colonies and Villages within this Jurisdiction, to the

Duty on
New
Netherland
Tobacco.

end that every one may know how to govern himself to his advantage in his Farming and Agriculture.

Thus done in Our Council this 21 April, A^o, 1649, *New Amsterdam*.

NOTE.—The dispatch mentioned in the above Ordinance is dated 27th January, 1649, and the alteration in the Duty on Tobacco was made at the suggestion of Director *Stuyvesant* as appears by the language of the letter and for the following reasons:

“Your complaint of the heavy Tax on Tobacco grown in the country there induces us, in the hope of encouraging the People to cultivate it, hereby to consent, that the Tobacco produced in our conquests there, shall pay no more than the Tobacco coming from the *Carribean islands* to wit, 45 stivers $\frac{3}{4}$ hundred, whence you can well conclude that our object is to benefit those our possessions beyond all other places, especially as this Tobacco is much better than any other product coming from the Islands. We have been able to arrive at this resolution the sooner, because we understand the Swedes employ all means to stimulate their subjects to cultivate Tobacco in those parts [viz., on the *Delaware*], and have, therefore, bestowed large privileges on them, and have even granted an exclusive right that no person shall import Tobacco into that Kingdom without their consent on pain of confiscation of all the property; with the view that even no other ware may be imported into *Sweden* than what this Corporation [the Swedish W. I. Company] should grow in the *Swedish Virginias*. Under this privilege some great men, it is said, are concealed, namely the Lord Chancellor of the Kingdom [*Oxensteirn*] and somebody else residing in this country on the part of that crown, whose name, for reasons, we do not mention.” *N. Y. Col. MSS.* XI. 14.

On the 4 April, 1652, the Directors at *Amsterdam* notified Director *Stuyvesant* that they had abolished the Duty of 8 per cent. on Tobacco, the growth of *New Netherland*. *Ibid*, 53. TR.

ORDINANCE

Of the Director and Council of New Netherland further providing for the proper drawing up of Legal Instruments. *Passed 8 May, 1649.*

[N. Y. Col. MSS. IV. 437.]

Preamble.

WHEREAS it is daily observed that, contrary to the Law and Ordinance of the Lords States General, and the Edict published 12 June, 1646* by the late Director General and Council, grave mistakes are committed in the writing and drawing up of evidences by private persons who are neither qualified thereto by Oath, nor called thereto by authority, whereby frequently many things are written to the advantage of those who have the papers drawn up, interspersed with sinister, obscure and dubious words, oftentimes contrary to the meaning of the witnesses, to the great prejudice and damage of the parties, and in order to prevent this result, dangerous in a Republic, and to strengthen the knowledge of the truth necessary in all Courts, Therefore we annul and declare invalid, as we do hereby annul and declare invalid all Affidavits, Interrogatories, or other Instruments serving as evidence, which are written by private Individuals and not confirmed by oath before the Court here or other Magistrates, as we do also from now henceforth annul all Affidavits which will not be written by the Secretary or other authorized person, likewise all Contracts, Testaments, Agreements and other important documents, unless by necessity it should be impossible to call on such person.

Affidavits and other Legal papers not sworn to in Court or before a Magistrate, or not written by the Secretary declared null and void.

Ordinance of the 12 June 1646 renewed.

Thus on the 8th May 1649 in Council it is resolved that the above Ordinance published on the 12 June 1646, should be renewed.

The minute is signed by *P. Stuyvesant, H. van Dyck, fiscal, La Montagne, Briant Nuton, A. Keyser.* *Mr. Dincklage* refused to sign.

* See page 59.

ORDINANCE

Of the Director and Council of New Netherland to enforce the Law respecting Weights and Measures. *Passed 19 July, 1649.*

[N. Y. Col. MSS. IV. 443.]

THE Hon^{ble} Director General and Council of *New Netherland* daily observing that their Ordinances heretofore made and enacted respecting Weights and Measures,* is not duly complied with by some, but greatly violated by the good Inhabitants, Therefore the Hon^{ble} Director General and Council notify all wholesale and retail Traders, also Bakers and all others who sell any thing by the Ell, Measure or Weight, to use no other Ell, Weight nor Measure in delivering or receiving, than the legal *Amsterdam* Ell, Weight and Measure, and to the end that every thing may be done in order, the Hon^{ble} Director & Council will hereby give notice to all Inhabitants and Traders to procure and provide themselves between this date and the first of August next, with the legal *Amsterdam* Ell, Weight and Measure. Meanwhile whoever has at the present time any weights shall bring them into the Company's warehouse in the Fort, to be there weighed and measured, so that in future no subject may suffer loss thereby. And in order that every thing may be carefully attended to and followed with greater zeal by all and everyone, the Fiscal *Hendrick van Dyck* is hereby commanded and authorized after the expiration of the first of August next, to inspect all Ells, Weights and Measures as often as he shall think proper, and whosoever shall then be found not to use the legal Ell, Weight or Measure, shall pay such fine as is thereto prescribed by law in our Fatherland. Let each be warned hereby and take heed against loss.

Preamble.

Amsterdam
Weights
and
Measures
only to
be used.

Inhabitants
to provide
themselves
therewith.

Weights
and
Measures
to be
inspected.

Penalty.

*See Ordinance of 11 April, 1641. *Supra* p. 25.

Thus done in Council the 17 July; resumed and posted the 19 July, 1649. *New Amsterdam in New Netherland.*

ORDINANCE

Of the Director and Council of New Netherland to prevent frauds on the Excise. *Passed 8 November, 1649.*

[N. Y. Col. MSS. XVI. 18.]

THE Director General and Council of *New Netherland,*

To all those who shall see these Presents or hear them read, Greeting.

Preamble.

Whereas we see and observe by experience that the Ordinances heretofore enacted against the Frauds and Smuggling which are committed in regard to the Beer which is sold by the Tapsters and Tavern-keepers, also that notwithstanding our previous Ordinance some few Inhabitants still follow the business of tapping and brewing at the same time, whereby not only the customary Excise (*pacht*) is defrauded, but also other Tapsters, who follow the business of tapping only, are injured in their trade, which being desirous to remedy in conformity with the public law of Fatherland, We hereby Ordain and command that no Inhabitants who make a business of Brewing shall, out of meal times, tap, sell or give away by the small measure any Beer, Wine or Liquor, not even to Boarders who they pretend go to eat with them; under which guise, we remark, no trifling fraud is committed; to prevent both the one and the other, We again Ordain that henceforth no Beer nor Wine shall be removed from the Breweries, Cellars or Storehouses, or placed and put into the houses of the Tapsters unless they have first entered the same at the Secretary's Office, and the Carters or Porters

Brewers not to sell Beer or Liquor by Retail.

Beer to be entered, and a Permit obtained before removal from Breweries.

thereof have taken out a permit therefor signed by the chief clerk of the Secretary, which shall be shown and exhibited, on the same day that it is taken out and signed, to our Fiscal *Hendrick van Dyck* or, in his absence, to his substitute; notifying, at the same time, all Brewers not to deliver any Beer they may sell, nor to let Carters or Beer-carriers or Tapsters take it away, unless a permit therefor be previously exhibited to them, on pain of forfeiting the Beer and Wine and all appurtenances whether Horses, Sleighs or any other vehicles wherewith the same are removed, and an arbitrary correction of such as lend a hand thereto.

Brewers not
to deliver
Beer with-
out a permit.

Penalty.

Thus done and after reconsideration enacted, in Our Council in *Fort Amsterdam*, this 8 November, A° 1649.

ORDINANCE

Of the Director and Council of New Netherland prohibiting the Exportation of Grain and Bread from New Netherland. *Passed 8 November, 1649.*

[New Amsterdam Records.]

THE Director General and Council of *New Netherland* having remarked the scarcity of the crops of the past year, and also that there is great complaint among the good Inhabitants that there is already scarcely enough of Bread to be had of the Bakers for themselves and their children, and it is to be feared, if there be not a seasonable interposition, that there will be a further deficiency of Breadcorn and a greater advance in price.

Preamble.

Therefore, the Director and Council do by these presents Ordain that from this time forth until further Order and a larger supply of grain, no Brewer shall be permitted to malt or brew any Wheat on pain of

Wheat not
to be malted
or brewed.

Exportation
of Wheat,
Rye and
Bread
prohibited.

forfeiting the wheat so malted, and an arbitrary penalty. And they do, furthermore, by these presents interdict and forbid the Exportation out of the Province of *New Netherland* of any Wheat, Rye, or baked Bread until, after a more exact estimate of the quantity of grain and yearly consumption, our necessary consent to such shall be given.

Thus done and approved in Our session this 8th day of November, A. D. 1649.

(Signed,) *P. Stuyvesant, L. Van Dincklagen, H. Van Dyke, La Montagne, Brian Newton.*

ORDINANCE

Of the Director and Council of New Netherland regulating the Baking and Sale of Bread. *Passed 8 November, 1649.*

[N. Y. Col. MSS. XIV. 20.]

THE Director General and Council of *New Netherland*,

To all those who see, read, or hear these Presents read, make known.

Preamble.

That upon the manifold complaints made to us by a number of our Inhabitants both as to the poorness of the coarse Bread and the light weight of the White Bread with which the good people cannot be provided by the Bakers for the common currency, in consequence of the Indians, or Natives of this country buying the Bread, without examination and inquiry as to the weight or price, from the Bakers for stringed Wampum, which the majority of the Inhabitants cannot do for want of stringed Wampum, whence it consequently follows that, through a lust and desire of great profit, the Indians and barbarous Natives are provided with the best, in preference to the Christian Nation; the Director and Council aforesaid, being desirous to provide therefor

in the most proper manner, according to their ability and existing circumstances, to the best advantage of the Commonalty, do hereby Ordain and command, that, from now henceforward until our further Resolution, no Bakers shall be at liberty to bake or sell to the Natives or Christians any fine bolted or white Bread, or Cakes for presents, on pain of forfeiting all the baked white Bread and Fifty Carolus guilders in addition, to be applied according to circumstances, provided nevertheless that no Inhabitants are hereby prevented baking or having baked for their own household, or for grand entertainments, such quantity of white Bread as occasion may require; for their Honors of the Council will hereby only interdict and forbid, as they do hereby interdict and forbid the useless consumption and general sale of white Bread and Cakes as well to the Inhabitants as Natives, so as thereby to prevent and put a stop, by this means, to what is committed in regard to the Bread generally on sale.

Bakers not
to bake
White
Bread or
Cakes.

Penalty.

Proviso.

And in order that neither the good Inhabitants nor the Natives be herein incommoded by over and short weight, the aforesaid Director and Council Ordain, that the Bakers who henceforth make a business of baking Bread for sale, shall manufacture it either of pure Wheat or of pure Rye, as these come from the Mill, in loaves of eight, four and two pounds weight, at such price as shall be fixed by their Honors of the Court from time to time, according to the value and rate of purchase of the grain.

Assize of
Bread
established.

Thus done, resumed and enacted in Our Council, this 8 November, 1649

ORDINANCE

Of the Director and Council of New Netherland to prevent Frauds in the conveyance of Real Estate.. *Passed 7 February, 1650.*

[New Amsterdam Records.]

Preamble. WHEREAS the Director and Council of *New Netherland* have been informed that divers clandestine abuses and Frauds have been practiced in the selling of Real Estate, such as Houses, Gardens, House lots and other lands, to the serious injury of Creditors.

Therefore, the Director and Council do by these presents, charge their Secretary, and in his absence the Chief Clerk, not to pass nor sign any Deed of Real Estate until it shall have been examined and approved by the Director and Council at the stated Court day, hereby declaring all Contracts and Conveyances null and void which shall have been passed without their approbation, ratification and signature.

No deed for Real Estate to be signed until approved by the Director and Council.

All other Conveyances declared null and void.

Thus done and approved in our sessions at *Fort Amsterdam* this 7th day of February, Anno 1650.

(Signed,) *P. Stuyvesant, L. Van Dincklagen, H. Van Dyke*, fiscal, *La Montagne*.

ORDINANCE

Of the Director and Council of New Netherland against encumbering or obstructing Highways. *Passed 23 May 1650.*

NOTE.—This Law is mentioned in *N. Y. Col. Mss. XVI. 3*, where the substance of it is given, forbidding the obstruction of Highways by felling Trees or placing Stones in them, and requiring that they be kept passable. But the Ordinance is not in the State Records. See *post*, p. 345.

ORDINANCE

Of the Director and Council of New Netherland amending the Ordinance of the 8 November, 1649, regulating the Baking and Sale of bread. *Passed 14 April, 1650.*

[New Amsterdam Records.]

THE Director General and Council have granted the request of the Bakers, and they are at liberty to bake, for the accommodation of the Commonalty, White bread, but no Cakes nor Cracknels; provided they bake the White loaf so as to conform in weight with the law of Fatherland.

Bakers permitted to bake White bread, but no Cakes.

Proviso.

Furthermore, the Bakers are ordered to bake the common loaf and forbidden to make it of any thing else but pure Wheat and Rye flour, as it comes from the Mill, so that the Commonalty may be protected against complaints concerning the poorness and small size of the common loaf.

The common loaf to be of pure Wheat and Rye flour.

Done this 14 April, A° 1650, in the Council at *Fort Amsterdam.*

ORDINANCE

Of the Director and Council of New Netherland for the better regulation of the Currency. *Passed 30 May, 1650.*

[N. Y. Col. MSS. XVI. 21.]

THE Director General and Council of *New Netherland,*

To all those who see these Presents or hear them read, Greeting.

WHEREAS we have by experience and for a long time seen the decline and daily depreciation of the loose Wampum, among which are circulating many without holes and half finished; also some of Stone, Bone, Glass, Muscle-shells, Horn, yea even of Wood and Broken beads, together with the manifold complaints of the Inhabitants that they cannot go to

Preamble.

Frauds in Wampum

Loose
Wampum
to be strung.

Rate of
Commer-
cial, and
Poor strung
Wampum.

Penalty.

market with such Wampum, nor obtain any commodities, not even a small loaf of white Bread or pot of Beer from the Traders, Bakers or Tapsters for loose Wampum, wherein wishing to provide according to our best knowledge for this time, we have for the promotion of Trade and the general good of the People, resolved and concluded that from henceforward no more loose Wampum shall be current, or good pay unless it be strung on a cord, as has been the common custom heretofore; in order hereby to prevent the further importation of all lump and unperforated Wampum and to establish some difference between the commercial Wampum and strung Wampum, so as in future to obviate all misunderstanding, the Hon^{ble} Director and Council aforesaid do Ordain that the commercial shall pass and be good pay as heretofore, to wit Six White or Three Black for one Stiver; on the contrary, poor strung Wampum shall pass eight White and four Black for one Stiver. We Order and command every one hereby to regulate himself according to the tenor hereof, and in case of a refusal to be deprived of their trade and business, and the Fiscal is hereby ordered after publication to cause this to be affixed and made known everywhere that it concerns, also to use every effort that the same be executed and obeyed here.

Thus done, resumed and enacted in Our Council in *Fort Amsterdam*, this 30th May, A° 1650 in *New Netherland*.

ORDINANCE

Of the Director and Council of New Netherland further regulating the Currency. *Passed 14 September 1650.*

[N. Y. Col. MSS. XVI. 22.]

THE Director General and Council of *New Netherland*,

To all those who hear, see or read these presents, Greeting.

WHEREAS on the daily complaints of the Inhabitants we experience that our previous Ordinance and Edict relative to the poor strung Wampum, published under date 30 May, A° 1650, for the accommodation and protection of the people, is not observed and obeyed according to our good intention and meaning, but that, on the contrary, such pay even for small items is rejected and refused by Shopkeepers, Brewers, Bakers, Tapsters, Tradespeople and Laboring men, to the great confusion and inconvenience of the Inhabitants in general, there being, at present, no other currency whereby the Inhabitants can procure from each other small articles of daily trade, for which wishing to provide as much as possible, for the relief and protection of the inhabitants, the Director and Council do hereby Ordain and command that, in conformity to our previous Ordinance, the poor strung Wampum shall be current and accepted by every one, without distinction and exception, for small and daily necessary commodities required for housekeeping, as currency to the amount of Twelve guilders and under only, in poor strung wampum; of twelve to twenty four guilders half and half, that is to say, half poor strung and half good strung wampum; of twenty guilders to fifty guilders, one-third poor strung and two-thirds good strung wampum, and in larger sums according to the conditions agreed upon between Buyer and Seller,

Preamble.

Poor strung
Wampum
refused.

No other
Currency.

Wampum
a legal
Tender.

To what
amounts.

Penalty. under a penalty of six guilders for the first time to be forfeited on refusal by the contraveners hereof; for the second time nine guilders, and for the third time two pounds Flemish and stoppage of his trade and business, pursuant to our previous Edicts.

Thus done and enacted in Council by the Director and Council, this 14 September, 1650, in *New Amsterdam*.

ORDINANCE

Of the Director and Council of New Netherland further prohibiting the running at large of Goats, Hogs and other Animals in New Amsterdam. *Passed 27 June, 1650.*

[New Amsterdam Records.]

THE Director General and Council of *New Netherland*,

To all those who see these presents, or hear them read, Greeting.

Preamble.

WHEREAS, experience hath shown that this Fortress, formerly in tolerable condition, has been in a great degree trodden down by Hogs, Goats and Sheep; and Whereas in conformity with the Order of the Hon^{ble} the Directors our Lords Majors and Patroons, men are now employed in repairing and restoring the same, and it is to be feared that it may as before again become damaged and trodden down by Goats, Sheep, Hogs and other animals.

Therefore, the Director General and Council do, by these presents, warn all and every of the Inhabitants of this place that, in accordance with our former Edict, they shall not suffer to run at large without a Herdsman or driver, except within their own inclosures, any Hogs, Sheep, Goats, Horses or Cows between the Hon^{ble} Company's Farm at the end of their Pasture, at present occupied by *Thomas Hall*, nor between the house of *Mr. Isaac Allerton*, and this

Horses,
Cows,
Sheep,
Goats, &c.,
not to run
at large
within cer-
tain limits.

place, under the penalty of six guilders for the first Penalty. offense for every Horse, Cow, Hog or Sheep that may be found within the limits aforesaid; for the second time, a double fine; and for the third time the whole to be confiscated and to be appropriated at pleasure.

Thus done, approved and published at *New Amsterdam* in *New Netherland*, this 27th day of June, A° 1650.

ORDINANCE

Of the Director and Council of New Netherland regulating the price of Bread, Wine, Brandy, &c. *Passed 5 June, 1651.*

[N. Y. Col. MSS. XVI. 22.]

THE Director General and Council of *New Netherland*,

To all who hear, see or read these Presents, Greeting make known.

That we this day having received the complaints of the good Inhabitants submitted to us through the Selectmen of this place, respecting the extortion, exaction and usurious profits imposed by some, both in the matter of white Bread and in retailing of Wine, Brandy and Strong liquors by the small measure, by certain Tapsters and Tavern keepers and practiced for a long time to the great damage and loss of the Commonalty and many private Inhabitants, wherein wishing to provide as far as possible, the Director and Council of *New Netherland* have previously computed with the Selectmen the present price of the Bread grain, also what weight it can produce; likewise the present price of Wine, Brandy and Strong liquors and how an exorbitant profit is realized by the small measure from them, so that more than one hundred per cent on the first cost is advanced on the one and the other, Therefore, the Director General and Council of *New Netherland*

Complaints of extor-tions in the price of Bread, Wine, &c.

**Assise of
Wheaten
and Rye
Bread.**

in order to prevent such exaction and imposition, do hereby Ordain and command that both the pure White loaf and the Wheaten and Rye loaf shall be baked and sold according to its correct Weight, to wit: The Wheaten and Rye loaf as heretofore ordered and published; the Whole loaf, eight pounds; the Half loaf four pounds, which shall be sold until further order and a lower rate of grain, the whole Wheaten loaf, fourteen stivers, and the whole Rye loaf, twelve stivers, the half loaf in proportion.

**Assise of
White
Bread.**

With regard to the white Bread, it is hereby Ordained that it also shall be baked according to its exact and correct Weight; to wit, of one pound, half a pound and quarter of a pound at the option of the Baker, without his being at liberty to break that schedule, and the pound of bolted white bread of good and clean wheat must not be sold for more than three stivers the pound; those of greater or less weight calculated in proportion.

**Bakers
refuse to
manufac-
ture Rye
Bread.**

Further, whereas the Director and Council have been informed, both by the Select men and by divers Farmers, that some Bakers refuse to bake Rye bread, and do not hesitate to give as the reason that they derive more profit from the white and wheaten bread, whereby it comes to happen that not only many poor Inhabitants, who cannot afford to purchase White bread, frequently remain inconvenienced and in want of bread, but also that the Farmers cannot sell the Rye they have cultivated and raised, to the manifest injury both of Agriculture and of the Commonalty, the Director and Council do hereby Ordain and Command that for the accommodation as well of the Poor as of the Rich, [the Bakers] shall bake Rye bread as well as White and Wheaten bread, on pain of being excluded from their business and fined 25 guilders for the first time they shall be found contravening these presents.

**Bakers to
bake Rye
Bread under
Penalty.**

In regard to the Wines, Brandies and strong Liquors which for a long time past have been sold by some Tapsters 10 @ 12, yea 14 stivers the quartern or gill, to the great wrong of the Commonalty, the Director and Council thereupon Ordain that in the Taverns the can of French Wine shall be sold at eighteen or twenty stivers, the Spanish Wine forty or forty-four stivers, the gill of Brandy seven stivers and no higher; and all this until further Order and occurrence of the rise or fall of the price of the Wine by the great measure.

Prices of
Wine,
Brandy
and other
Liquors

Established.

And in order to accommodate and oblige the good Inhabitants and arriving Traders still further, with respect to the payment in Wampum, and as it is not convenient for the former to lay in Wine, Brandy, and strong Liquors, all arriving Traders, Scotch and Merchants are hereby permitted, until our further order, to furnish the Commonalty free of excise for stringed Wampum, but at a reasonable and moderate advance, to wit: the French Wine at twelve stivers ^{per} pot, the Spanish Wine at one dollar (thirty stivers), the Brandy and Strong liquors at thirty-two stivers the can, for the accommodation of the Inhabitants only who are not Tavern keepers; but with this understanding, that such Wines drawn from the Merchants by the can must not be retailed by any Inhabitants, of what quality or nation soever they may be, by the smaller or larger measure, on pain of forfeiting the Wine, and twenty-five guilders fine.

Prices at
which
arriving
Traders
may sell
Wine,
Brandy,
and other
Liquors.

Proviso.

Thirdly, whereas the Director and Council are informed that, notwithstanding their formerly issued Edicts and Ordinances, some Brewers are retailing their brewed Beer by the small measure and can, not only to the damage, injury and diminution of the customary Excise, but also to the obstruction of the business of others who make a profession of tapping

Brewers
violate
former
Ordinances;

Which are
renewed.

Brewers not
to sell Beer
by retail.

Provision
for the Poor.

and selling by the small measure ; And whereas we experience that some Brewers carry on this trade more securely under the pretense of accommodating the Commonalty by the small measure, our former Ordinance and Edicts are hereby not only renewed, but in addition, all such persons are expressly interdicted from selling any strong or small Beer by the small measure on draught, under the penalty in the former Placards set forth. In order, meanwhile, not to subject the Poor to inconvenience, the Director and Council will, as occasion may require, give permission to some particular Inhabitants who request it, to lay in small Beer free of Excise with liberty to retail the same at a reasonable advance by the small measure.

Thus done, enacted and published in our Council this 5th June, A° 1651, in *New Amsterdam*.

ORDINANCE

Of the Director and Council of New Netherland to prevent Smuggling. *Passed 28 August, 1651.*

[N. Y. Col. MSS. XVI. 3.]

This Ordinance is not among the Records. The Substance of it is given in *Van Ruyven's Revised Laws*, *post p.*

ORDINANCE

Of the Director and Council of New Netherland regulating the
Windmill. *Passed February, 1652.*

[N. Y. Col. MSS. V. 15.]

WHEREAS for a long time past not a few com- Preamble.
plaints have been made to us of the inconvenience
to which the inhabitants are put because they can
scarcely get their grain ground, or, if ground, cannot
get it in such a state as it ought to be, for which reason
the people are received with abuse, curses and threats,
to provide against which as much as possible, and to
prevent consequent disorder, it is thought proper, for
the better accommodation of our good Inhabitants,
to appoint a suitable person at a yearly salary to
superintend the Hon^{ble} Company's Windmill, subject Superinten-
dent of the
Windmill
appointed.
to the following Conditions and Regulations to be
observed by every one :

1.

The Miller shall be bound and also undertakes as Duties of
the Miller
far as the Mill is concerned, to be at the service of
all Inhabitants, without distinction of persons, and,
Wind and Weather permitting, either by himself or by
another qualified person, to serve them as far as he is
able, both by night and by day, as opportunity may
offer, according to the proverb—First come, first
served ; also First come, first to be waited on ;
wherein no one shall consider himself preferred except
only the Hon^{ble} Company which has rising 70 @ 80
persons to provide with bread.

2.

None of the inhabitants, whether servant or Free- No grain to
be received
at the Mill
without a
Permit.
man, shall be at liberty to carry any grain to the
Mill, neither shall the Miller receive any grain into
the Mill, without first having obtained a permit at
the Office of the Store, whereupon the quantity and
quality of the grain are set forth.

3.

Fee for
Permit.

In order to make the Clerk more willingly accommodate, and more attentively wait on the Commonalty, One stiver shall be paid him for a permit for 3 skepels and over; half a stiver for a permit under 3 skepels; For toll on each skepel shall be paid three stivers in silver money, or good stringed Wampum, or commodities to the Miller's satisfaction.

Toll for
grinding.

4.

Miller to
record Per-
mits, and
account for
the Toll.

The Miller shall register the permits received in order, whenever required by the Director and Council, to render an account of the Toll, to be compared with the Clerk's Register or account book, and he shall not give credit to any one for toll, except at his own risk.

5.

Miller not
to be found
fault with if
he refuse
poor
Wampum.

Whereas the Revenue from the tolls ought to defray, besides the Miller's yearly salary, the expenses of the maintenance and improvement of the Mill, for which good pay is required, no person shall trouble or annoy the Miller or his man, by words much less by deeds, in case he refuse poor or unassorted Wampum, but herein apply the common Proverb—Many can carry more than one.

6.

Scales and
Weights to
be placed in
the Mill.

To prevent frauds, evil reflections and especially afterclaps, Weights and Scales shall be placed at a proper time in the Mill, in order that those wishing to do so may deliver in their grain at the scale and receive it back again, according to the Regulation formerly made there, or according to circumstances, hereafter to be enacted.

7.

Sacks of
grain to
contain no
more than
3 Skepels.

For the convenience of raising and lifting, no one shall be at liberty to bring more than three skepels in one sack to the Mill, or calculate less toll than for one skepel.

8.

Finally, in order to prevent all disputes, the Miller, on his promise and word, is intrusted with the grinding of every thing at the stated rates, wherewith every one ought to remain satisfied; but if on an extraordinary occasion any one would have the Meal very fine and twice ground, if it can be done without great inconvenience to others, he may be accommodated, at the discretion of the Miller, with one or two runs through (the mill) on payment of three pence per skepel.

Toll for
extra
grinding.

Thus done and enacted the February, A° 1652
in the Council of the Hon^{ble} Director General and
Council of *New Netherland*.

P. STUYVESANT,
LA MONTAGNE,
BRIAN NEWTON.

ORDINANCE

Of the Director and Council of New Netherland abolishing the
Export duty of eight per cent on New Netherland Tobacco. *Passed*
1652.

[N. Y. Col. MSS. XI. 55.]

NOTE.—On the 4 April, 1652, orders were sent by the Chamber at
Amsterdam to the Director General and Council of New Netherland
instructing them not to collect thenceforth the Duty of 8 per cent on
exported Tobacco, the growth of New Netherland.

Such Ordinance is not among the Records. TR.

ORDINANCE

Of the Director and Council of New Netherland imposing a Duty on Merchandize imported into New Netherland from New England. *Passed*, 1652.

[N. Y. Col. MSS. XI. 37.]

Complaints
from New
Netherland.

NOTE.—The Delegates from *New Netherland to Holland* presented a Petition to the States General, 26 July, 1649, praying for redress of several Grievances under which that Province suffered, and suggesting among other remedies, an Exemption from Duties. "It is to be remarked," they added, "that our Neighbours pay no Duties, nor any other charges, not even on the Wares they purchase from us, which amount to considerable; so that a great deal of fraud is committed in this way because several ships go first to *New England*, and then skulk under our neighbours' wings." They next complained that the English have been thus exempted for a long time past, from the Duty which the Dutch were obliged to pay. The Directors at *Amsterdam*, in answer, dated 31 January, 1650, promised to instruct Director *Stuyvesant* to conform himself, for the future, to the Order and Regulation heretofore made and enacted. *N. Y. Col. Doc. I. 267, 337, 344.*

Duties on
Imports from
Virginia or New
England.

On the 26 April, 1651, they accordingly wrote hither as follows:
"In order further to promote the population of *New Netherland*, and to attract shipping to that place, we have Resolved, that you shall henceforth collect 16 $\frac{2}{3}$ cent from all Goods, being Merchandize, coming from *English Virginia* or *New England* into *New Netherland*, and that you shall allow all Goods going thither from *New Netherland*, to pass free of Duty; to the end that a stop may be put to the practice resorted to by some, of shipping their Goods to *New England*, and then bringing them to *New Netherland* under the smaller Duty, and that the Merchants sailing direct from here to *New Netherland* be not prejudiced."

The Minutes of Council of 1651 being lost, the above mentioned Ordinance is not among the Records. Its history is explained by the preceding extracts. TR.

CONDITIONS AND REGULATIONS

For the Importation of Negroes from Africa into New Netherland.
Granted 4 April, 1652.

NOTE.—A Provisional plan for the Trade, Colonization and Benefit of *New Netherland* was submitted by the Deputies of the West India Company in 1650, to the States General, in which it was recommended "that the Inhabitants of *New Netherland* shall be at liberty to purchase Negroes wheresoever they may think necessary, except on the Coast of *Guinea*, and bring them into *New Netherland* to work on their Bouweries, on payment of a duty of fl. per head. *N. Y. Col. Doc. I. 364.*

This recommendation was followed on the 4 April, 1652 by a despatch from the Directors at *Amsterdam* to Director *Stuyvesant*, in which they say :

"In order to favor this Plantation the more, we hereby consent on the proposal of the Inhabitants there, that they shall be at liberty to bring in their own ships from the coast of *Africa*, as many Negroes as they shall have need of for the cultivation of the soil, and that on the Conditions and Regulations herewith transmitted." *N. Y. Col. MSS. XI. 53.*

Colonists to
import
Negroes
from *Africa*.

These "Conditions" are not among the Dutch Records. But their tenor may be inferred from a document of a subsequent date (*N. Y. Col. MSS. IX. 193*), by which it appears that the merchants of *New Amsterdam* who were willing to embark in the Slave trade, were not to go farther west, on the coast of *Africa*, than *Ardre*, or at most to *Popo Sonde*, and were excluded from the entire of the *Gold Coast*, *Cape Verd*, *Sierra Leone*, the *Pepper Coast* and *Qua Qua* coast. Negroes thus imported were to be taxed Fifteen guilders a head, said duty payable in Tobacco or Beaver.

Limits of
such Trade.

Duty on
Negroes.

These terms not having been considered sufficiently encouraging, no result, therefore, followed the concessions of 1652, and Fiscal *Van Dyck*, writing on the 18th September of that year, says: "No request for Negroes has been presented from Patroons or Colonists here to my knowledge." Whatever Slaves were imported thenceforth into *New Netherland* from *Guinea*, were brought in Dutch ships belonging to merchants of *Holland*, specially chartered, commissioned or licensed by the *Amsterdam* Chamber of the West India Company, which had the control of the African trade. Tr.

ORDINANCE

Of the Director and Council of New Netherland against Illegal Trade in Powder, Lead, and Guns in New Netherland by Private persons. *Passed April, 1652.*

[N. Y. Col. MSS. XI. 53, 54.]

NOTE.—On the 4 April, 1652, the Directors at *Amsterdam* transmitted to the Director and Council of *New Netherland*, a printed Ordinance to the above effect, the execution whereof was strictly enjoined. It is not among the Records, and seems, indeed, not to have been very strictly enforced, for the Directors at *Amsterdam* on the 6 June, 1653, say :

"We have seen that you have been obliged, at the written request of those of *Fort Orange* and of the Colonie of *Renselaerswyck*, to connive somewhat in regard to the Edict enacted about contraband Goods. You ought to deal herein with a sparing hand, and take good care that through this winking no more ammunition be sold to the Indians than each one has need of for the protection of his house and for obtaining the necessaries of life, so that this cruel and barbarous Nation may not be able, at any time, to turn and employ their weapons against ourselves there." *N. Y. Col. MSS. XI. 83. Th.*

ORDINANCE

Of the Director and Council of New Netherland regulating the driving of Wagons, Carts, &c., in New Amsterdam. *Passed 27 June, 1652.*

[N. Y. Col. MSS. XVI. 20.]

Fast driving
through
New
Amsterdam
prohibited.

Drivers not
to sit or
stand on
their Carts,
or Sleighs.

Penalty.

THE Director General and Council of *New Netherland*, in order to prevent accidents, do hereby Ordain that no Wagons, Carts or Sleighs shall be run, rode or driven at a gallop within this city of *New Amsterdam*, that the drivers and conductors of all Wagons, Carts and Sleighs within this city shall not sit or stand on them but now henceforth within this City (the Broad Highway alone excepted) shall walk by the Wagons, Carts or Sleighs and so take and lead the horses, on the penalty of two pounds Flemish for the first time, and for the second time double, and for the third time to be arbitrarily corrected therefor and

in addition to be responsible for all damages which may arise therefrom.

Thus done and ordained in the Council of the Director General and Council of *New Netherland* the 27 June, 1652.

ORDINANCE

Of the Director and Council of New Netherland against boarding Vessels arriving at New Amsterdam before the same are entered.
Passed 27 June, 1652.

[N. Y. Col. MSS. XVI. 26.]

WHEREAS the Director General and Council have certain information and knowledge that, notwithstanding the former Order and prohibition issued in the time of the Hon^{ble} Director General *Kieft*, some Inhabitants attempt with skiffs, boats, canoes and other craft, to go on board of ships and yachts arriving from Fatherland and elsewhere, before and sooner than such ships, yachts and Barks come to anchor, according to order, before this city *New Amsterdam*, whence many frauds and much smuggling can result and have heretofore arisen, to prevent which the Director and Council do Ordain that pursuant to a previous Resolution no one, of what quality soever he may be, shall repair with any Skiff, Boat, Canoe or other craft on board of any arriving Ships, or come on shore with any boat from such Ships or yachts, before and until such arriving Ships, Yachts or Barks have anchored before this city *New Amsterdam*, and have reported to the Director General and Council whence they come and under what commission, on pain of forfeiting such Skiff, Boat or Canoe and two pounds Flemish to be paid for each person who shall be found to have contravened these presents, and if hereafter it may be discovered that such persons,

Preamble.

No ships to be boarded

Until they have anchored in front of the city and have been entered.
Penalty.

yachts or canoes have conveyed any goods, packages or parcels to or from such vessels, they shall, in addition to the foregoing fine, be arbitrarily corrected according to the circumstances of the case.

Thus done in the Council of the Director General and Council of *New Netherland* the 27 June, A° 1652.

ORDINANCE

Of the Director and Council of New Netherland regulating the purchase of Indian Lands and vacating and annulling sundry grants and purchases therein mentioned. *Passed 1 July, 1652.*

[N. Y. Col. MSS. XVI. 27.]

THE Director General and Council of *New Netherland*,

To all who see, read or hear these presents read,
Greeting.

Preamble.

WHEREAS it is found by experience and in fact, that many Inhabitants of this Province, covetous and greedy of land, have, contrary to the Order and meaning of the Hon^{ble} Directors of the Incorporated West India Company set forth in the Charter itself, and in the Exemptions of *New Netherland*, as well also in other subsequent Orders and Regulations, not scrupled heretofore and do not still scruple, without the knowledge, order or consent of the aforesaid Directors, or their Deputies here, to purchase, barter or obtain by gift from the Natives, and by virtue thereof to pretend actual and real possession and property of many and extensive Tracts of Land and them again, contrary to the prohibition of the aforesaid Company or their Ministers here, to sell and convey to others without making or causing to be made in the office of the Secretary of this Province, according to the Ordinance and Edicts, any record of such purchased or sold Lands in whole or in part;

by which purchase, sale and conveyance of such Lands, without the knowledge and consent of the Hon^{ble} Company and their Government here, not only are the above mentioned Directors injured and wronged in their Charter and feudal right of Redemption, but also the Population, Cultivation and Planting of Boweries are delayed and retarded, because such Lands have for long years lain, and do still remain wild and waste, without any considerable improvement and settlement having been made thereon by the pretended purchasers and proprietors; besides, there are no Lands for sale except at an excessively high price, far above the value and rate at which the Director General and Council could heretofore obtain them from the Natives; Yea, some malicious and evil disposed persons have not scrupled to inform and acquaint the Indians what sum and price the Dutch or Whites are giving each other for small Lots, whence have resulted within a few years past many irregularities and more are to be apprehended unless some remedy therefor be provided in time.

Wherefore the Director General and Council of *New Netherland* observing on the one hand the contempt of their well meaning Order, and on the other hand the irregularities and pernicious consequences which will follow such purchases and sales and conveyances without the knowledge of the Lords Patroons and without proper Patents from the Director and Council, Therefore, the Director General and Council of *New Netherland*, after mature deliberation and written communication with the aforesaid Directors of the Incorporated West India Company, do hereby expressly interdict and forbid all persons, of what quality soever they may be, directly or indirectly from buying or attempting to obtain any Lands from the Natives of this Province, much less

No person
to purchase
or receive
Lands from
the Indians,
or enter on
or sell the
same, with-
out a
License.

by virtue of purchase or donation undertake to occupy, or sell or convey them to others, without the previous consent or approbation of the Company or its Deputy here.

In like manner also, do the Director General and Council of the Company, or their Deputy here as aforesaid, pursuant to the order and despatches of the above mentioned Directors, hereby dissolve, annul and make void all claimed or occupied purchases, sales, patents and deeds signed by order of the Director and Council and sealed with the Seal of the Province, of which class are the *Island* in the *Hellgate*, *Nutten Island* opposite the *Manhattans*, *Red Hook*, both the small *Flats* on *Long Island* claimed by the former Director *Wouter van Twiller*; the *Great Flat*, otherwise *The Bay*, or *Amesfoort Flat* with the lands adjacent claimed by *Wolphert Gerritsen* and *Andries Hudde*; the Maize land, Flat and Valley of *Canarisse* conveyed by gift of the Indians to *Jacob Wolphertsen*, to the serious damage and prejudice of the new village of *Midwout*; the lands of *Kattskill* with those opposite, purchased and possessed, against the express command, order and prohibition of the Director General and Council, by *Brant van Slechtenhorst*; the lands of the *Neusinckx* purchased by *Lubbert van Dincklaegen*; the lands of *Sloops bay* and *Oyster bay*, called *Matinnecongh*, which the Natives declare were purchased by *Govert Loockermans* and Company; the lands occupied by *Thomas Chambers* and lately purchased from *Brant Aertsen Slechtenhorst* aforesaid, the claim of property in all which said enumerated Lands and in still others unknown, wherever situate within the limits of this Province, whether put forth in virtue of purchase or donation, is declared unlawful, null and void; under condition, however, that to the Purchasers or pretended owners, shall be reimbursed and restored whatever they by

Grants of the Island in the Hell Gate, Nut Island, Red Hook, the Long Island Flats, to Wouter van Twiller; of Amesfoort Flat to Wolphert Gerritsen, and Andries Hudde; of Canarisse to Jacob Wolphertsen; of Kattskill to Brant van Slechtenhorst;

Of the Neusinckx to L. van Dincklaegen; of Sloops bay and Oyster bay to Govert Loockermans, and of lands occupied by Thomas Chambers,

Declared null and void, and

fair account can show that they have paid and given for said lands, so that the Director General and Council aforesaid, as representatives of the Commissioners of the Hon^{ble} Directors of the Incorporated West India Company, do, by right of Redemption belonging to all Patroons, reserve and retain unto themselves the aforesaid Lands and all others of that description, and pursuant to the Order and Instructions of the aforesaid Directors, will allot and measure out to all and every person, under proper Patent and conveyance, in real and actual property, as much Land as the undertaker will and can cultivate and settle, on condition that he will renew the Fief with the Company and have the transfer of the land recorded here in the Secretary's office.

Restored to
the public
Domain,

To be here-
after allot-
ted in proper
portions
to actual
Settlers.

And it being further notorious and well known that, in virtue of the above stated pretension, some of the above specified Lands are sold and conveyed to others, and therefore occupied, built on and cultivated, from which possession, though illegally obtained, the Director General and Council are, nevertheless, not inclined to oust the actual occupant nor to frustrate his labor, but the Director General and Council hereby Ordain and command that such occupants and others, who thus far have no proper Patent and Deed of the Lands they possess and have cultivated, shall give in, within the term of six weeks after the publication and posting of these presents, the quantity and extent of their Lands, and petition for and receive a proper Patent and Deed of the same, signed by the Director General, as president, and by the Secretary of the Province, and sealed with the Public Seal, on pain of forfeiting his Lands and the right of possession he has thereto.

Rights of
grantees
under the
above
named per-
sons who
actually
occupy and
cultivate
their lands,
to be res-
pected,

On condi-
tion of enter-
ing and
taking out
patents for
such Lands.

Let every one be warned against loss.

Thus done, resolved and enacted in the Assembly of the Director General and Council of *New Nether-*

land, this First of July, A° 1652, in *New Amsterdam*. Resumed and published the 2d of said month.

NOTE.—This Law was enacted agreeably to express Instructions transmitted by the Directors at *Amsterdam*, to the Director and Council of *New Netherland* to the following effect:

"1651. March 21. We observe that divers persons do not scruple to take possession, without any proper form, of all the best lands, without any determinate survey, as if the Company and their Agents there had no voice in the matter, and were ousted and dispossessed of their prerogatives. Wherefore have we deemed it expedient hereby to command you not to grant any lands to any person except under proper acknowledgment of the West India Company. And you are especially to bear in mind, that no more land be granted in future to people than, after mature consideration of their circumstances, you shall judge they will be able, and intend to settle, till, and bring under proper cultivation. It appears by divers examples that, on the contrary, title has been set up to many lands which, after several years, have not experienced the least improvement in population, cultivation building or planting, as we evidently see and are aware in the case of *Cornelis Melyn*, *Wouter van Twiller*, and others; the abovenamed *Melyn* occupying an Island,* seven to eight miles in extent, whereof only about eight morgens of land are under cultivation. And *Wouter van Twiller* is not satisfied with absorbing *Nut Island*† and *Hellgate*, but he is endeavoring to appropriate and make himself master of the *Catskill*; in addition to which he has also laid hands on the two Flatts on *Long Island*, one called *Twiller's* and the other *Corler's Flatt*, containing together about 1600 @ 2000 morgens of land. *Wolfert Gerritsen* and *Andries Hudde* have acted in a similar manner. They have laid hands on full 1000 morgens of land on the same Island, not the 50th part of which are they able to occupy. This is in no wise our intention, for in this manner title might be set up to many valuable lands, with vast pre-eminences, and the country, meanwhile, remain a desert. Wherefore, we expressly command you not to give nor grant any one more land than on the terms and conditions hereinbefore set forth. In regard to *Long Island*, it will be the most important and the best for the Company, in our opinion, until a fixed plan shall be decided on, to distribute to each person, according to his circumstances and means for cultivation and plantation, as much land as shall be allotted to each Colonist." *N. Y. Col. MSS. XI. 29.*

"1652. April 4. We must enact a good law so that each person may be well placed and the Lands distributed with more equality than has been done heretofore, when every one seems to have acted just as he pleased; and that without the knowledge of the Directors or their Ministers. For it is now found by experience that *Wouter van Twiller*, *Olfert Gerritsen*, *Lubbert van Dincklaechen*, *Jacob Wolfertsen* and others have taken up and purchased from the Indians considerable tracts of land without our consent or knowledge, which we consider is not to be tolerated by us. We, therefore, are of opinion

*Staten Island.

†Governor's Island.

ORDINANCE

Of the Director and Council of New Netherland reducing the Duty on Furs. *Passed 4 September, 1652.*

[N. Y. Col. MSS. V. 51.]

THE Director General and Council having observed Preamble.
the great expenses which they have annually to sustain for the support of the Civil government, the Military, the Church and School, and seen, on the other hand, the scanty Revenue and Income thus far produced only from the Duty on Peltries and the small Excise on Tapsters, and the annually increasing charges, whilst on the contrary, the Duties are diminishing, as it had pleased the Directors of the Incorporated West India Company at the Chamber of *Amsterdam*, to contract with some Merchants of *Amsterdam* not to exact more than 8 per cent on Beavers and Otters, whilst, howbeit, it was customary in

Former
duties on
Furs.

that you give public notice to every person that no one shall attempt to purchase, or take possession of any Lands without the knowledge and approbation of the Company, and its Ministers, and that you vacate all such purchases made previous to this time; under condition, nevertheless, that they shall be reimbursed what they have paid therefor, so that the Company shall acquire the same by Redemption. With this view, however, that we are, and remain disposed to measure out to all persons as much Land as they will undertake to cultivate and settle, on condition of renewing the Fief with the Company. But our meaning is, that the land be not granted, as heretofore, with undetermined boundaries." *N. Y. Col. MSS. XI. 54.*

In drawing up the preceding Ordinance, it will be seen that Director *Stuyvesant* followed too literally his Instructions, for, writing on the 6 June, 1653, the Directors add:

"The Edict which you have already published and posted up in regard to the illegal purchasing of Lands without the Company's knowledge, we have also examined, and had rather seen that you had not been so specific in stating therein the names of the persons, in order to remove all trouble and embarrassment here from the Company's shoulders. You will see by the accompanying printed copies what correction we have made in said Edict, the execution whereof we most particularly recommend to your Honor. *N. Y. Col. MSS. XI. 83.*

The corrected Ordinance, as printed, is not among the Records. *Tr.*

the time of the Hon^{ble} Mr. *Kieft*, of blessed memory, to exact 15 stivers from each merchantable skin, which also was continued by us and has been paid by the majority of the Merchants here without offering any objections, until finally some Merchants in Fatherland claimed of, and obtained from the Hon^{ble} Company the privilege by special contract of paying 8 per cent, whereby then, such parties being more favored than those generally interested of this place, the Revenues here are greatly diminished and curtailed. Thus, the Garrison being daily increased and the Revenue decreased, nothing else can follow than a sinking into deep debt to the great damage of the Hon^{ble} Company in this its Conquest; Against which the Director General and Council being necessitated to provide as much as possible, have, for the common good of the Inhabitants and the maintenance of this country, found it necessary and expedient, pursuant to the Order and Instructions of the Hon^{ble} Directors, to allow the Inhabitants here as well as the Merchants and Traders to enjoy the same benefit and to command their Fiscal, first to collect eight per cent in kind from the quality of the Peltries, and in consequence of the heavy burthens under which the Director General and Council find themselves laboring and considering that the Merchants thus far have been exempt from the payment of storage and of the one per cent of their imported merchandise, which according to order, they are bound to pay here, the Director General and Council have resolved that there shall be paid, in addition to the 8 per cent, four stivers a piece for each merchantable Otter, and Beaver skin and Bear and Elk hide, the thirds and halves reckoned in proportion.

Additional
duty on
Furs.

Thus done the 4th September, 1652.

ORDINANCE

Of the Director and Council of New Netherland against Runners in the Mohawk or Senecas country. *Passed 30 September, 1652.*

[N. Y. Col. MSS. V. 68.]

WHEREAS the Director General and Council are certainly informed that some of the Inhabitants in and about the Fortress *Orange* and those residing in the Colonie of *Renselaers Wyck* do not scruple, to the great hindrance and obstruction of Trade, to roam through the Mohawk country with quantities of Goods and Wampum in order to get, at their option, the Beaver at a cheaper rate, whence it will follow, in time, that the Indians, as in the South and elsewhere, will be encouraged in their laziness and instead of an increase of Trade being produced, serious mischief is finally to be expected from the running to the *Mohawk country* with goods, as the Barbarians, for the sake of the Goods, might resolve to take the lives of those carrying them, as has frequently happened heretofore to others. Therefore the Director and Council aforesaid, for the public safety, in order to prevent all new difficulties and for the preservation and benefit of their Honors' subjects, and the promotion of Trade and Commerce, have considered it in the highest degree necessary seasonably to prevent the running with goods to the Indian plantations or *Mohawk country*; Wherefore the Director General and Council interdict and forbid as they do hereby, all and every, of what state or condition he may be, from now henceforth, or after the publication or posting hereof, going, riding or resorting to the before named *Mohawk or Senecas country* with any Goods or Wampum, however these may be called, without special order and permit of the Hon^{ble} Director General and Council or their Commissaries; all on a penalty of Fifty pounds Flemish to be applied as is customary.

Preamble.

No Goods to be conveyed to the Mohawk or Seneca Country by Runners, without permission.

Penalty.

Dated as above.

ORDINANCE

Of the Director and Council of New Netherland against firing at Partridges or other Game within the limits of New Amsterdam
Passed 9 October, 1652.

[N. Y. Col. MSS. XVI. 81.]

Preamble.

WHEREAS, many guns are daily discharged and fired at Partridges and other game within the jurisdiction of this city *New Amsterdam* and in the vicinity of the Fort, by which firing People or Cattle might perhaps be struck and injured, against which practise complaints have already been made, Therefore the Hon^{ble} Director General and Council, in order to prevent accidents, expressly forbid and interdict all persons henceforward firing within the jurisdiction of this city or about the Fort, with any guns at Partridges or other Game that may by chance fly within the city, on pain of forfeiting the gun and a fine at the discretion of the Judge, to be applied one-third to the Poor, one-third to the Church and one-third to the Officer.

Guns not to be discharged at Partridges or other Game within the limits of *New Amsterdam*.

Penalty.

Thus done and enacted in Fort *Amsterdam*, in *New Netherland*, the 9 October, 1652.

ORDINANCE

Of the Director and Council of New Netherland, renewing the Ordinance against the Exporting of grain and against the consumption thereof by Brewing, Distilling, &c. *Passed October, 1652.*

NOTE.—This is a Renewal of the Ordinance of 8 November, 1649, *supra* p. 111. It is referred to in *N. Y. Col. MSS. XVI. 33*, where it is stated that the Ordinance was renewed in consequence of the influx of Immigrants from Holland, and to prevent a scarcity of Bread which was apprehended.

ORDINANCE

Of the Director and Council of New Netherland, regulating the Baking and sale of Bread. *Passed October, 1652.*

THIS is a Renewal of the Ordinance of the 8 November, 1649, *supra* p. 112, and was enacted in consequence of the circumstances already mentioned.

ORDINANCE

Of the Director and Council of New Netherland regulating the Inspection of New Netherland Tobacco. *Passed 18 February, 1653.*

[N. Y. Col. MSS. VI. 21; XVI. 57.]

FIRST. As the Tobacco cannot well be inspected as good by the Inspectors, during the winter months, because it has not then for the most part thoroughly sweated, and cannot be conveniently handled, Inspectors are ordered not to inspect any *New Netherland* Tobacco in the winter months of December, January and February, unless for urgent reasons with the previous knowledge of the Director General and Council.

Tobacco not to be inspected in December, January and February.

2. Inspectors shall not be obliged to inspect any Tobacco, ordinarily, except on Friday and Saturday, which days have been set apart for that purpose by the Director and Council, or except in case of the departure of any ship for *Holland*, when the Inspectors are bound to accommodate the Buyer and Seller without delay.

To be inspected only on Tuesdays and Saturdays,

Except in certain cases.

3. The Director General and Council Ordain for pregnant reasons, that those who have any Tobacco to inspect shall cause it to be brought before the Inspectors in Tubs or Casks, which Tubs or Casks must remain in a place, to be previously assigned for that purpose, after the inspection, until it shall be shipped hence.

To be brought to the appointed warehouse in Tubs or Casks, and to remain there until shipped.

All Tobacco which shall be offered to the Inspectors for inspection and shall by them, on their oath,

Unmerchandiseable Tobacco to be burned.

be adjudged and inspected as bad and unmerchantable Tobacco, the Inspectors, to prevent fraud, shall, without connivance or respect of persons, at once burn, which they are expressly ordered and commanded to do.

Inspection
fees, when
and how
payable.

The Inspectors shall collect their fixed fees immediately after inspection, and in case any person decline payment or pretend to have no money with him, the Inspectors may take their pay from the Tobacco at the price at which it is sold.

Virginia
Tobacco,
how to be
inspected.

The Inspectors shall be at liberty, at their discretion, to unhoop all the Tubs or Hogsheads coming here with Tobacco from *Virginia* and offered to them for inspection, in order that they may see into the middle of the Tobacco, where usually fraud occurs, which they are expressly commanded to execute, so that the purchaser may not be cheated and unknowingly send to his principal a bad as a good return.

Inspectors
to execute
the Law
strictly;

Which Order and Regulation the Director General and Council of *New Netherland* enjoin and command said Inspectors, to wit *Isaac de Foreest* and *George Homs*, strictly to observe, and, further, charge every of the Inhabitants, who shall have their abode within this Jurisdiction, to offer said Inspectors no manner of hinderance or molestation in the discharge of their office, but if need be, to lend them all reasonable assistance.

Not to be
obstructed
in the per-
formance of
their duties.

Thus done the 18 February, A° 1653. *New Amsterdam* in *New Netherland*; Present: the Hon^{ble} Director General; *La Montagne*, *Brian Nuton*, *Cornelis van Tienhoven*; *Arent van Hattem* and *Martin Crieger*, burgomasters.

18 February, 1653. *Resolved*, that the Ordinances respecting Farm-servants and relating to the Brewing and malting of Grain be posted and published. *N. Y. Col. MSS.* V. 101.

ORDINANCE

Of the Director and Council of New Netherland, for the more general planting of Corn and other Grain. *Passed 26 March, 1653.*

[N. Y. Col. MSS. XVI. 31.]

THE Director General and Council of *New Nether-* Preamble.
land observing the population and increase of this Province as well by procreation and breeding, which we must thankfully acknowledge as a special blessing of God, as by the arrival of many passengers who have come over within two or three years in divers ships from Fatherland, and being informed and notified by the last despatches from Fatherland that many passengers, both Freemen and Servants of the Hon^{ble} Company, are again to be looked for with the expected return ships, if God will grant them a safe voyage; And it being the bounden duty of the Magistracy, after invoking and imploring God's blessing, to exert every possible effort for means whereby Agriculture may be promoted, in order that their Subjects entrusted to their care, being supplied with provisions and necessary maintenance, may not experience any want especially of bread corn. Therefore the Director General and Council being informed, and even knowing, themselves, by their own observation that many of their subjects apply themselves solely to planting of Tobacco, which the Director General and Council neither disapprove of nor forbid, but in order to prevent the apprehended scarcity of Bread as much as in their power lies, the Director General and Council have, for the welfare of the country and for the better support of their subjects, resolved hereby to forewarn, order and command all Tobacco planters to plant or sow as many hills with Maize, or as much land with Pease or other hard grain for Bread, as they plant hills or fields with Tobacco, on pain of forfeiting Fifty guilders to be paid by

Planters to sow as many hillocks of Corn, Peas or Grain, as of Tobacco.

Penalty.

whomsoever is found to fail herein, the one being not less profitable than the other, besides which, it is at the present time highly necessary. We also command all our Officers, and magistrates and especially our provisional Fiscal to pay strict regard and attention that this our well intended Ordinance be observed and obeyed, as we such consider necessary for the good of the country and our subjects.

Thus done, resumed and enacted in our Council in *New Amsterdam* the 20 March, 1653.

ORDINANCE

Of the Director and Council of New Netherland, imposing an additional Excise on Wines and Strong Liquors. *Passed 26 March, 1653.*

[N. Y. Col. MSS. V. 118.]

Preamble

THE Director General and Council having considered the low state of the Treasury arising from the great expenses and charges which the Hon^{ble} Company has to defray here, exclusive of the monthly pay and board of its Servants, for the Civil, Ecclesiastical and Military government, which have daily increased in consequence of the increase of the population, the Director General and Council having, after previous Remonstrance and communication made long before this to the Commonalty of this city, taken into deliberation what supplementary means may be devised the least burthensome and onerous to the Inhabitants, have found no better, fitter nor easier expedient than the imposition of some tax on the Wine, Brandy and Spirits which can best be spared yet are most consumed in this country, at a great advance both by buyers and sellers by the large and small measure. Therefore the Director General and Council have deemed it proper and necessary to tax Wine, Brandy and Spirits as follows, to wit :

All Wines, Brandies and Spirits which from this day forward are laid in and retailed by the Tavern-keeper, and laid in, consumed or exported from this place elsewhere by any other person, whether Officer, Inhabitant, or Stranger, shall pay, in addition to the ordinary Excise paid thereon heretofore,

Additional
Excise on

On a hogshead of French wine 8 guilders.

Wine,

On the anker of Spanish Wine, Brandy, distilled Spirits, four guilders.

Brandy
and Spirits.

Larger and smaller casks and measures calculated in proportion.*

Wherefore, to prevent all frauds, connivance and smuggling, the Merchants and Factors shall be notified and told by the Fiscal to regulate themselves according to the tenor hereof and to furnish no Wine, Brandy or Spirits to any person before and until the same be duly entered and the aforesaid Impost paid thereon, or in default thereof the said Impost shall be levied on them.

No Wine or
Spirits to be
furnished by
Merchants
before the
Excise be
paid.

Done, *New Amsterdam* in *New Netherland* this 26 March, A° 1653. *P. Stuyvesant, La Montagne, Brian Newton.*

* In the copy of this Law in *N. Y. Col. MSS.* XVI. 36 the following words are added:

“Which duty shall be promptly paid at the Receiver's Office, one-half by the seller and one-half by the buyer.” TR.

ORDINANCE

Of the Director and Council of New Netherland, providing for the fortifying of the city of New Amsterdam. *Passed 12 May, 1653.*

[N. Y. Col. MSS. V. 121.]

AGREEABLY to the previous Resolutions of the 15 March, it is Resolved by the Director General and Council, in conjunction with the Magistrates of this city,

City of New Amsterdam to be inclosed.

First and above all, that the City of *New Amsterdam* shall be secured all round about, and placed in a state of complete defense, so that it may resist and oppose a sudden attack, and then that the Fortress be taken in hand and repaired.

All inhabitants to labor at the work, either personally or by substitute

In order to accomplish this in the best and speediest manner, it is Resolved by the Director and Council, that the Burghers and Inhabitants, together with the Mechanics and Laborers shall, either in person or by other suitable parties in their stead, generally assist and labor at the work, and not desist therefrom until it be completed and put in such a state of defense that the good Inhabitants of this city, their wives, their children and property may be protected against a sudden attack and incursion, which may God graciously avert.

One-fourth of the Inhabitants to work 3 days in rotation.

And in order that the whole may be effected and performed with greater precision and regularity, and that good care may be taken by the Director General and Council that the work be well and orderly accomplished, it is Resolved and determined that in prosecuting the work a part shall be employed, to wit: that one-fourth part of the Inhabitants, whether Burghers, Merchants, Mechanics or the crews of ships, sloops in harbor or to come there, shall each be employed three consecutive days on the aforesaid work, as by the Director General and Council and Burgomasters and Schepens shall jointly or severally

be ordered and commanded, on pain of 25 Carolus Penalty. guilders to be forfeited for the first time by whomsoever shall oppose the Order and Resolution conjointly adopted by the Director General and Council and Magistrates, or the command of the person acting for the aforesaid Council or Magistrates; for the second offense, the opposer or unwilling person shall remain deprived of his Burgherright, and if he continue a third time contumacious and unwilling, he shall be arbitrarily punished and banished out of this Province.

Further, in order to prevent all abuses and excuses, it is Resolved, that the Hon. Director General and Council and the Magistrates aforesaid shall alone be Superintendents, but each of them shall at his own expense and in his turn, furnish one man for the work; also, the Inferior officers of the Hon^{ble} Company without any exception and the Free Negroes, every fourth man in his turn, shall help to labor at the aforesaid works, and continue thereat until completed, on the like penalty.

Superintendents of the works.

Director, Councillors and Magistrates to furnish one man.

Inferior Officers and Free Negroes, every fourth man.

Thus resolved and enacted by the Director General and Council in conjunction with the Burgomasters and Schepens in *New Amsterdam*. the 12 May, 1653.

ORDINANCE

Of the Director and Council of New Netherland, directing returns to be made of all Grain in Fort Orange and the Colonie of Renselaerswyck. *Passed 30 May, 1653.*

[N. Y. Col. MSS. V. 128.]

Preamble.

Return of
Grain in
Fort Orange,
Beverwyck,
and Renselaerswyck,
ordered.

Inhabitants
to state how
they dispose
of their
grain.

THE Director General and Council having further considered the present scarcity of Bread corn, have not only resolved again to write to the Court of *Fort Orange* and Colonie *Renselaerswyck* and to request stricter attention and execution of our previous Ordinances in regard to the malting and brewing and needless baking of Bread grain, but have in addition concluded to write to, and authorize the aforesaid Courts respectively to qualify two or more persons from among themselves who shall, as well in *Fort Orange*, *Beverwyck* as in the Colonie *Renselaerswyck*, visit the Burghers, householders and especially the Bakers and Brewers and ascertain what stock of Bread corn is remaining with each of them; Commanding the inhabitants of the aforesaid respective Courts that they not only furnish satisfactory information to the aforesaid respective Courts or their Deputies, but also for the present time on demand of the aforesaid Courts render an account and proof to them or their Deputies where they send their grain to, or in what manner they consume the same.

Thus done, resolved and enacted by the Director General and Council of *New Netherland*, this 30 May, 1653.

RESOLUTION

Of the States of Holland and Westvriesland, declaring that no Appeal can lie from Judgments pronounced in New Netherland. Dated the 4th August, 1653.

[Resolution van Holland, 1653, p. 442.]

ON the requisition of Mess^{rs} the deputed Councillors is read in Court a certain opinion rendered by the Attorneys-general Paats and Stryen on the petition lately presented to their Honorable Great Mightinesses by Jan Klaasz. Heukelum, *cum suis*, owners of the ship called the *Vaarwel*, and it is besides stated that Mess^{rs} the deputed Councillors had approved of said opinion, which therefore might be regarded as the opinion of the abovementioned deputed Councillors, in fulfillment of their Hon^{ble} Great Mightinesses' order bearing date the 20th June last, which being considered, it is

Resolved and concluded that a Writ of Appeal from Judgments pronounced in *New Netherland* can not be properly, and ought in no case be granted by their High Mightinesses, and that, therefore, care shall be taken at the General Assembly to revoke such writ of appeal as Mr. Hendrick van Cappelle the Rhyssel obtained on the 10th April last from their High Mightinesses in similar circumstances, the same having been issued without authority and contrary to all good order.

No writ of Appeal from Judgments pronounced in *New Netherland* to be granted.

ORDINANCE

Of the Director and Council of New Netherland, further regulating the price of Wine and Brandy. *Passed 18 August, 1653.*

[N. Y. Col. MSS. XVI. 37.]

Preamble.

WHEREAS it appears by the Invoice that Wines are dearer in Fatherland than formerly, and consequently that the Tavern keepers purchase them here at a higher price; moreover, that they by virtue of the preceding [Ordinance] are somewhat higher taxed, as by the tenor thereof appears. Therefore the Tavernkeepers are hereby allowed to sell the French Wine at Twenty-four stivers, the Brandy and Spanish Wine at Fifty stivers, or the gill at seven stivers, without having the power to exceed the aforesaid price, on pain of forfeiting their business and Ten pounds Flemish in addition.

Retail price
of Wine,
and Brandy
established.

Penalty

Dated 18th August, 1653.

NOTE.—The Law and policy of fixing a Maximum, first introduced by the Ordinance of 5 June, 1651, (*supra* p. 100) was disapproved of by the Directors at *Amsterdam* in their despatch, dated 12 March, 1654.

"Equally impracticable," they write, "is your Honor's Ordinance fixing the price of Provisions, Bread, Beer and Wine. We cannot doubt but you have discovered by experience itself, the impossibility of executing such a Law, as it cannot create anything else than great trouble and strife, both in regard to the Tradesmen and the Tapsters, Tavernkeepers and other buyers and sellers. In order to prevent this in future, we have resolved hereby to command you strictly to regulate yourselves agreeably to the laudable Customs and Ordinances of this City, heretofore sent you, at least so far as the nature and circumstances of that country and of its Inhabitants will or may in any wise possibly permit. N. Y. Col. MSS. XII. 1. Tr.

ORDINANCE

Of the Director and Council of New Netherland, fixing the prices of certain Imported goods. *Passed 19 November, 1653.*

[N. Y. Col. MSS. IV. 445; XVI. 38.]

THE Director and Council of *New Netherland*.

To all those who shall hear or see these Presents read, Greeting, make known.

That in the month of September last their Deputies and the Delegates of the respective Colonies and Courts of *New Netherland* enacted, published and posted divers Ordinances and Regulations* touching

Laws
enacted by
Delegates
in *New
Netherland*

* These Ordinances are not among our Records, neither is there any minute of the Assembly at which they were enacted. They appear to have been transmitted to the Directors at *Amsterdam*, and their tenor may be inferred from the despatch of the latter dated 12 March, 1654, who disapproved of them, in the following terms:

"The Resolutions adopted by your Honor at the convoked Assembly (*Lantdach*) have appeared to us singularly strange and unexpected, and still more strange the publication thereof, without waiting for our advice or approbation. And first, you have caused to be published that all Traders shall not sell henceforth their Merchandizes and Goods (Indian trade only excepted) any higher than one hundred per cent advance above the value of the Goods as entered in the Invoice, without being at liberty to add thereunto the freight, duty, and other charges. This is an Ordinance, indeed, as impracticable as injurious in the highest degree to that State, being a sure means not only to banish Trade and, at the same time to deprive the Company of a great portion of its Revenue both there and in this country, but also to obstruct population and agriculture. For who is there but knows that the expectation of gain is the greatest spur to induce people to go thither, as experience hath already sufficiently demonstrated. On the contrary, the dread of small and uncertain profit discourages and deters people, as would, certainly, be the case whenever they arrived there with their cargoes on these terms. For, they would incur great danger that their wares would be bought up on which the heaviest expenses fall, among which are included those that pay sixty guilders and more per cent in freight, duty, convoy, &c., exclusive of insurance and the dangers of the seas. What profit such merchants would derive, can easily be calculated. We could here adduce other and more cogent reasons, but as we are of opinion that Trade cannot be subjected to the least constraint or limitation, but must be free and unhackeled, as is the practice among all Nations and peoples, so have

Against the
high rate of
Goods, Pro-
duce and
Wages, to
be obeyed.

the great and excessive dearness of all sorts of Merchandizes, Provisions, Grain and Laborers' wages, which well meant Orders and Regulations, published, enacted and made known to all by preceding Edicts, the Director General and Council still understand shall be promptly observed and obeyed without any connivance, dissimulation or favor on pain of the fine in the Edicts more fully expressed. But whereas the last arrived Passengers, Merchants and Traders were not preadvised in the matter of the entry of their Goods and Wares, and therefore have entered their Wares and Merchandizes according to their previous custom, besides which are to be taken into consideration the great dangers of the Sea, the heavy insurance and the long time the Goods and Merchandizes have remained in the Ships whereby they have been subjected to considerable leakage and loss; All which being Considered by the Director General and Council, they are fully of opinion that the Merchants could not obtain a living with one hundred per cent above the entry on the Company's invoice at present, therefore not to annul absolutely the previously enacted Ordinance, the Director General and Council have, for the present time thought it best and necessary to appraise some Goods and Merchandizes as follows:

Prices of Shoes, Stockings, Soap, Candles, Liquors, Vinegar, Nails, Wines, &c.	fl. stv's.	
	fl.	stv's.
A pair of men's shoes from 8 @ 12 size,	3	5
A pair of Iceland stockings,		36
A firkin of Soap at,	20	guilders
A can of salad oil,	1	10
A pound of candles,		12
An anker of distilled liquor,	32	
An anker of Vinegar at,	16	

we judged such (law) to be unnecessary. And it is not to be doubted that the exceedingly high prices will, with the increase of Trade, and importation of every thing in abundance, also cease and disappear in time." *N. Y. Col. MSS. XII. 1. Tr.*

	<i>fl. stiv's.</i>
An ell of Duffel cloth to be sold to Christians no higher than,	3 10
One hundred lbs. of nails,	30
An anker of Spanish Wine at,	40
An anker of Brandy at,	44
A hogshead of French Wine at,	110

What further regards the Goods and Merchandizes which are not specified nor appraised herein and some which cannot be appraised, such as assorted Linens, Worsted stockings, &c. the sorts whereof are, some of them, finer and better than others; also, all materials and necessities required for Bouweries, and house-keeping, all too many and too numerous to be mentioned here, the Director General and Council Ordain that the true Invoice of the actual first cost thereof and of all other Merchandizes, by whatsoever name called, shall be shown and exhibited to the purchasers, on their demand, and the Seller may ask from the Buyer, for the present time, in consideration of existing dangers and heavy assurance, One hundred and twenty per cent over and above the first and actual cost, and no more, upon the penalty and fine more fully set forth in the previously enacted Edicts. The Director General and Council hereby giving notice that this Ordinance and Regulation shall continue only for the present time, and until further Order from Fatherland, and no longer.

Invoice
of non-
enumerated
Articles
to be exhib-
ited to pur-
chasers and

Such goods
to be sold at
120 % cent
advance.

Limitation
of the Law

Thus done in the Assembly of the Director General and Supreme Council, in *Fort Amsterdam* in *New Netherland*, this 19 November, A° 1653.

ORDINANCE

Of the Director and Council of New Netherland fixing the rate of wages to be paid to Carpenters, Masons, &c. *Passed* , 1653.

NOTE.—We have no copy of this Law, and the only knowledge we possess on the subject is derived from the despatch of the Directors at *Amsterdam* to the Director and Council of *New Netherland*, dated 12 March, 1654, in which they remark :

“Equally impracticable is your Honors’ second Ordinance, viz.: Lowering and Fixing the price of the day’s wages of Carpenters, Masons, &c., . . . whom you have indiscriminately rated at a certain day’s pay, some of whom are, nevertheless, cheaper at Thirty stivers than others at Twenty stivers a day.” *N. Y. Col. MSS. XII, 1.* This was one of the Laws enacted by the Assembly held in September, 1653. TR.

ORDINANCE

Of the Director and Council of New Netherland regulating the publication of Bans of Matrimony. *Passed 19 January, 1654.*

[*N. Y. Col. MSS. IV. 446; V. 197; XVI. 40.*]

THE Director General and Council of *New Netherland*,

To all who hear or see these presents read, Greeting make known.

Preamble.

That we understand and are certainly informed by the report of our Fiscal and others as well as by letters from *Gravesend* dated 18 January, 1654, that the Magistrates there have presumed and undertaken publickly to post notices of Marriage in regard to persons both of whom are, and for a long time have been domiciliated in and about this city of *New Amsterdam*, far beyond the district of the aforesaid village, and whereas such is in direct contradiction to both the Civil and Ecclesiastical Law of the *United Netherlands*, which not only the abovementioned Magistrates of *Gravesend* but also all other Colonies within this Province are by contract and oath bound

to observe; Therefore, the abovementioned Director General and Council order and notify the aforesaid Magistrates of *Gravesend* and all others within this Province, to annul such posting of intentions of Marriage, and on sight hereof to withdraw the same, and in all cases to proceed with and confirm no such Marriages, either privately or publicly, before and until such persons, according to *Netherland* style, have entered and received their bans and proclamations of marriage where they are dwelling and have resided the last years.

Notices of
intended
Marriages
posted in
Towns
where the
parties do
not reside,
declared
null.

Bans of
Marriages
to be pub-
lished only
in places
where par-
ties reside.

Thus done in the Assembly of the Director and Council of *New Netherland*, this 19 January, A° 1654, *New Amsterdam*.

ORDINANCE

Of the Director and Council of New Netherland, imposing Duties on Indian Goods, Wines, Brandy, &c. *Passed 28 January, 1654.*

[N. Y. Col. MSS. IV. 447; V. 203; XVI. 41.]

THE Director General and Council of *New Netherland*,

To all those who see these presents or hear them read, Greeting, make known.

It is known to every one that according to the general contracts concluded by the Skippers and Merchants with the Hon^{ble} Company, that all persons are bound to deliver into the Company's store the Goods they take on board and bring hither, and to pay thereon to the Director General and Council here one per cent and so much more as, before the arrival of the ships may be imposed thereon by the Director General and Council, which one per cent the Director General and Council have not hitherto collected and it was not, indeed, possible to be calculated on account of the variety of the goods, besides it might create

Preamble.

some complaint and increased dearness even of the necessary goods, such as Stockings, Shoes, Linen shirts, Cloths, Soap and other articles. The Director General and Council experiencing, then, the low state of the Treasury, and the necessity of finding some means by which the Civil, Ecclesiastical and Military service may be supported and maintained, are therefore come to the conclusion in place of one per cent which is due by all Merchants in general from their cargoes and Merchandizes, to impose something reasonable and tolerable only on the Indian cargoes and less necessary merchandize, such as Wines, Brandies, Liquors and Foreign Beer and Salt, which articles although least necessary, render the most gain and profit and are usually paid for in cash; so that the Traders and Merchants henceforth, in the place of one per cent on their general cargoes, shall be obliged to pay only on the Indian Cargoes and less necessary goods in manner as follows :

		fl. stiv's.
Duties on Indian Goods.	For one ell of Duffels,	2
	For one ell of Woolen cloth or carpeting of which Indian coats are commonly made, ..	2
	For one Indian coat made of Duffels, cloth or carpeting,	8
	For one hundred lbs. of Kettles,	3
	For one dozen blankets,	4
Brandy, Wine,	For one anker of Brandy, Spanish wine, or distilled Liquors,	3
	For one hogshead of French wine,	6
	Smaller and larger casks in proportion,	
Foreign Beer, and Salt.	For one tun or half pipe of Foreign beer, 3 guild's.	
	For one skepel of Salt,	20

Which Duty shall henceforth be paid, as the staple right, promptly at the General office, or at least proper security for the payment shall be given to the

satisfaction of the Receiver, before the abovementioned and other cargoes shall be removed from the Hon^{ble} Company's store.

In respect to the remaining goods which are numerous and various, they are hereby free and exempt until further Order and Regulation, from the indebted one per cent, in order to be, like the other merchandizes imported into this Province, sold and disposed of to the satisfaction of the Trader; but the merchandize which will be exported or sent out of this Province or the government thereof, shall promptly pay the Duty or Impost heretofore laid thereon.

Provision
respecting
non-enumerated
articles.

Exported
Goods to
pay Duties
already
imposed.

Thus done in the Assembly of the Hon^{ble} Director General and Supreme Council holden in *Fort Amsterdam* this 28 January, A^o 1654. Resumed and published 2 July.

ORDINANCE

Of the Director and Council of New Netherland against Pirates and Vagabonds, and requiring Strangers to report and give an account of themselves. *Passed 8 April, 1654.*

[N. Y. Col. MSS. IV. 448; V. 225; XVI. 42.]

THE Director General and Council of *New Netherland*,

To all those who shall hear, see or read these Presents, Greeting, make known.

WHEREAS we are certainly informed and also indeed experience that some Pirates and Vagabonds are, under what commission or pretext is to the Director General and Council unknown, frequenting *Long Island* and the Mainland between this Province and the Province of our Neighbors, said Pirates being also, as we are informed and told, declared Rovers and Vagabonds by the neighboring Governors and Magistrates of *New England*, and therefore denied,

Preamble.

within their jurisdiction, all countenance, lodging, asylum and maintenance, and are accordingly to be considered as Runaways and Transports from *New England*; which Pirates and Vagabonds have not scrupled to molest the good People of this Province at the *Flatland* and plunder them of their property, whereof divers proofs are seen and heard, both now and last year, that such were perpetrated on various Inhabitants. And whereas the Director General and Council are certainly informed and told that said Pirates and Vagabonds are countenanced, favored, harbored, entertained and supported by Subjects and Inhabitants having fixed domicile within this Province, and are by that means so encouraged and incited that some of them have dared not only to frequent, examine and to spy into the outside Villages, but even this City under the color and guise of Travelers, against which the Director General and Council wishing as far as possible and practicable to provide, for the advantage of the Inhabitants, have considered it highly necessary to enact against the same the following Ordinance and Regulation :

Pirates and Vagabonds not to be harbored, concealed or supplied with necessities,

First. The Director General and Council of *New Netherland* order and command all their Subjects of what nation or quality soever they may be, without any exception, not to hold any conversation with such Pirates and Vagabonds, much less harbor, conceal or hide them, or to accommodate or provide them with any necessities, but in case anyone may receive any communication or knowledge of the whereabouts of such Pirates and Vagabonds, or where they may lodge, or sojourn. the same promptly to notify and to make known to the Magistrates of the nearest Village and Court, on pain of the confiscation of all his goods, and of being declared an enemy of the State and banished out of the country.

But to be denounced to the nearest Magistrate.

Penalty.

Secondly. All Magistrates of the respective Villages within this Province are hereby recommended, each within his jurisdiction, to establish and to maintain such order, watch and place of Rendezvous as they think necessary for the security of the good Inhabitants of said place, according to the circumstances of the locality, and all Inhabitants are hereby ordered and charged promptly and without any gain-say to comply with and obey such order of the Magistrates, and at their command promptly and immediately to pursue, attack and capture, if possible, such Pirates and Vagabonds, on pain as aforesaid. In order the better to encourage the good Inhabitants in this their duty, the Director General and Council promise the sum of One hundred dollars for every Pirate or Vagabond who will be delivered into the hands of the Director General and Council or their Fiscal.

Magistrates to establish and keep up a good watch.

Inhabitants to pursue and capture Pirates and Vagabonds.

Reward for their arrest.

Thirdly. In order that the preceding may be the better practiced and observed by the good Inhabitants of this Province, the Director General and Council order and command that all persons who have no domicile within this Province of *New Netherland* and arrive in any Village or house in this country, shall be bound, when required by the Magistrate, Officer of Justice, or any Burgher or Inhabitant, to exhibit a Pass and re-pass from the Governor or Magistrate whence he comes and where he resides, and if any one be found without a Pass, he shall be examined and heard by the Magistrate as to whence he came and for what purpose and business he is come into the said Province of *New Netherland*, in order, according to the circumstances and facts of the case, to be so disposed of as shall be found proper, and that the aforesaid may be the better obeyed, all Inhabitants are commanded not to lodge any unknown Strangers without first making known to the Magistrates or

Strangers to exhibit Passes from the Governor or Magistrate of the place whence they come.

Persons without Passes to be examined and properly disposed of.

Strangers not to be lodged without notice to Magistrate.

Penalty.

Officers of the place the name of such arriving travelers or strangers, and that under a fine of Twenty-four guilders.

Guns not
to be dis-
charged
between
Sunset and
Sunrise,
unless in
case of a
Raid.

Signals in
such cases.

Furthermore, In order that every one may be the better, and with more certainty, preadvised and warned of any raid and impending danger, the Director General and Council order and command that no person shall fire a gun within this Province at night between sunset and sunrise, on pain of forfeiting One pound Flemish for each shot, unless some appearance of a raid be manifest, in which case every one is not only permitted, but is hereby commanded by the discharge of his gun three times successively, as quick as possible, to give an alarm of, and to make known the threatened raid, which alarm being heard and perceived by the nearest Watch, Village or family, such Watch, Village or family is hereby commanded to do the like, in order by that means to make known the raid to all Watches, Villages and families, to the end that every one may be on his defensive and appear each under his competent Officer, at the appointed place of Rendezvous.

And that no person may plead ignorance, the Director General and Council Ordain that this general Order shall be sent every where throughout this Province of *New Netherland*, so that it may be published, posted and enforced by the Magistrates of the respective Colonies and Villages, and the contraveners there and elsewhere may be duly proceeded against according to the tenor of this Ordinance.

Done in the Assembly of the Hon^{ble} Director General and supreme Council holden in *New Amsterdam* the 8 April, A° 1654.

ORDINANCE

Of the District Court of Breuckelen, &c., for the better defense of the Dutch Towns on Long Island. *Approved 8 April 1654.*

[N. Y. Col. MSS. V. 240]

AT a meeting of the Gentlemen of the Court of *Breuckelen, Midwout* and *Amesfoort*, with those of the Court Martial, the 7 April 1654, in *Breuckelen*.

First. Those of the Worshipful Court and Court Martial are met to complete the officers of the Companies of the said places. First, for *Midwout*, under Serjeant *Jan Strycker*, are chosen Corporal *Daniel Terneur*, and Lance Corporal *Theunis Hilbrantsen*, and for Cadets, *Lucas Eldertsen* and *Hendrick Joris*.

Officers for
Midwout.

Secondly, in the Village of *Amesfoort* under Serjeant *Elbert Elbertsen*, for Corporal, *Willem Gerritsen*.

For *Ames-*
foort.

Thirdly, the duty of going on guard is imposed on every Person in his quality, and on one of the Ruling Schepens at his own discretion, trusting in time of necessity to his zeal and willingness.

All persons
liable to be
on guard.

Fourthly, in case any raid is made by any Pirates, Robbers or others who would wish to inflict injury and damage on us, on any Villages, Hamlets or their Inhabitants under our jurisdiction, no one at or on *Long Island*, of what state or quality he may be, shall be exempt in case of resistance, if he belong to the above named district, under the penalty of six guilders; one-half for the Officer and the other half for the Court, or an arbitrary correction, at the discretion of the Judges according to the exigencies of the case.

In case of
a Raid,

No per-
sons to be
exempt.

Penalty

Fifthly, in the towns of *Breuckelen, Midwout* and *Amesfoort* and places dependent thereon, every third man shall be bound to hold himself in readiness when necessity demands, to repair with his already appointed Officer or his substitute, to the place where he is commanded to go.

Every third
man to turn
out, in case
of necessity.

The third
man to be
selected
by lot.

Sixthly, each Officer in his station and Village or Hamlet shall have lots drawn, in order to designate the third Man, and whosoever draws the lot, shall be bound to hold himself in readiness, without any gain-say, at the prescribed time.

Signal in
case of
danger.

Seventhly, each Inhabitant in the above named District on *Long Island*, discovering any Enemy at night, shall fire three shots to notify those of the nearest place, who are to regulate themselves accordingly, as aforesaid.

Penalty for
needless
alarm.

Eighthly, Whosoever at night by firing unnecessarily treats an alarm, shall forfeit the sum of six guilders, or be arbitrarily corrected as mentioned in the fourth Article.

The aforesaid is submitted for the Common good and Peace of the Inhabitants of *Long Island*, for the approval of the Right Hon^{ble} Director General of *New Netherland*.

(Signed,) *Fredrick Lubbertz, Jan Snedecker, Nicolaes Stillwell, Cornelis de Potter, Albert Cornelisz, Jan Strycker, Elbert Elbertsen, William Bredenbent.*

Lower stood :

The above agrees with the Original thereof, remaining in my hands, which I witness,

DAYDT PROVOOST Not. Pub. and Scribe of said Place.

Approval.

The preceding being read and examined by the Director General and Council, the aforesaid Ordinance is praised and approved by the Director and Council.

Done at the Meeting of the Hon^{ble} Director General and Council holden at *New Amsterdam* the 8 April.

(Signed,)

P. STUYVESANT.

Lower stood :

By Order of the Director General and Supreme Council.

(Signed,) CORNELIS VAN RUYVEN, *Secretary.*

ORDINANCE

Of the Director and Council of New Netherland providing additional Works for Fort Amsterdam. *Passed 14 June, 1654.*

[N. Y. Col. MSS. V. 277.]

THE Director General and Supreme Council having taken into serious consideration the daily Rumors and menaces with which this Province and especially this Capital and our residence the city of *New Amsterdam*, and its Fortress are, if not threatened, at least warned, deem it their bounden duty to deliberate on all possible means and them promptly to employ, for the preservation and protection of this city and its Fortress against any hostile assault and force, for the security of the whole country, for the honor of our nation and the supreme magistracy thereof; Therefore do the Director General and supreme Council aforesaid find it highly necessary not only to repair the Works constructed last year, but also first and foremost, in addition to the repair and strengthening of the Fort, likewise to make some other new Trenches and interior Works, in order the better to defend the one from the other, and in case of need to be able to retire from the one on the other, which are necessary to be forthwith begun and completed, whereunto Ditchers and Laborers are required.

All Sheriffs, Burgomasters, Schepens, Commissaries and Magistrates of the Subaltern Courts of this Province are hereby ordered and commanded, on sight and publication hereof, to use all possible diligence to the end that some able Ditchers and Diggers from each Village, Colonie or Hamlet may be hired or recommended to come into this City of *New Amsterdam* precisely on next Tuesday with a spade and axe, to help to construct and repair such Works as shall be pointed out to them by the Director General and Council or their commissioners, on condition that

Preamble.

Old Works
to be re-
paired, and

New Works
to be con-
structed.

Sheriffs and
Magistrates
to hire
Laborers.

Pay of
Laborers.

the Laborers shall receive therefor two guilders per day, in Corn, Beavers, or Wampum, to be paid promptly every week. Anyone hereunto requested or recommended by his respective Magistrate, and neglecting or refusing to appear, shall forfeit one pound Flemish for each day he is absent (sickness and debility alone excepted).

Penalty
for refusing
to appear,

Thus done enacted and resumed in the Assembly of the Hon^{ble} Director General and Council holden in the place of Our residence, *New Amsterdam*, this 14 June, A° 1654.

(Signed,) *P. Stuyvesant, Nicasius de Sille, C. Van Werckhoven, La Montagne, Cor^e Van Thienhoven.*

ORDINANCE

Of the Director and Council of New Netherland regulating the Ferry at the Mannhattans. *Passed 1 July, 1654.*

[N. Y. Col. MSS. IV. 450; V. 239; XVI. 47.]

To all those who shall see, or hear these Presents read, Greeting.

The Hon^{ble} Director General and Supreme Council of *New Netherland* make known.

Preamble.

That very great confusion and disorder prevail more and more among the Ferrymen on both sides of the Ferry of the *Manhattans* to the serious inconvenience of the Passengers and Inhabitants of this Province, so that those under the necessity of going over, are frequently obliged to wait whole days and nights, and then again are constrained to give up their journey not without gross extortion of double and higher fare, disputes and other unmannerly practices to the great loss and vexation of Strangers and the good people of this Province; Therefore the Hon^{ble} Director General and Supreme Council of *New Netherland* wishing to provide for the discontinuance of

all such confusion and irregularities henceforth, and for the service of the Passengers as well as the Inhabitants of this Province, in a proper manner, so that they may be most conveniently accommodated and at the smallest expense [do ordain] as follows :

1.

First. Henceforth, no person, of what quality soever he may be, save the Lessee of the Ferry thereunto authorized by the government, shall be at liberty to keep or have any Ferryboats or Scows to carry or convey over strange Passengers or Inhabitants of this Province, or Cattle, Goods or any thing else, his own property excepted, on pain of paying for the first trip One pound Flemish ; for the second time Two pounds Flemish ; and for the third offense, forfeiture of the Scow or Boat and arbitrary correction, of which [fines] one-third shall be allowed to the Lessee, one-third to the Officer and the remaining third according to the discretion of the Judge ; And therefore it is hereby commanded that no person shall keep any Boat at the Ferry for the purpose of conveying over therewith any Persons or Goods, his own family and goods excepted, without however being allowed to loan or hire it to any person directly or indirectly [for the purpose of conveying over] any other Persons or Goods, except of his family or his own proper goods, on the penalty aforesaid.

No other person than the Ferryman to keep Boats or Scows for the conveyance of Passengers or Goods.

Penalty.

Persons may keep Boats for conveyance of their own families and property, but not for hire.

2.

Secondly. The Lessee shall be bound to keep continually his Ferry provided with proper Boats and experienced Men, and maintain on both sides of the River for the Passengers and Inhabitants of this Province a covered Shed or Lodge, to shelter them from the rain, cold, &c.

Ferryman to provide Boats and men, and a Ferry-house on each side of the river and

3.

A flat-bottomed Boat.

But the Lessee shall be at liberty to build for his convenience a flat bottomed Boat to convey across Wagons, Carts, Plows, Cattle, and receive

Rates of Ferriage.

s. stv's.

For each wagon or cart with two horses or oxen,	2	10
For one cart or wagon with one horse,	2	
For one cart or plow,	1	
For one pig, sheep, buck or goat,		
For two, eight stivers, and what is above that, each,		3
For every man or woman, Indian or Squaw,		6
For two or more persons, each one,		3
For a child under ten years, half fare,		
For one horse or four footed horned beast, ..	1	10
For one hogshead of tobacco,		16
For one tun of beer,		16
For an anker with wine or liquor,		6
For a tub of butter, soap or such like,		6
For a mud (4 bushels) of grain,		4
and what exceeds that is $\frac{1}{2}$ a stiver per Skeple.		

Packages of goods and other articles, not specified herein, in proportion, as parties shall agree.

4.

Ferryman not to carry Passengers or Goods until paid Ferriage.

Item. The Lessee shall not be obliged to convey any Person over or to carry any Goods (unless he please) before and until he hath received the authorized Ferriage.

5.

Hours for running the Ferry in Summer.

Item. The Lessee shall be bound to accommodate the Passengers for the abovementioned Ferriage on Summer days, only from 5 o'clock in the morning till 8 o'clock in the evening, provided the Windmill hath not taken in its sail.

6.

Item. He shall be entitled to double Freight or Ferriage at night, after or before the limited time.

Double
Ferriage
before or
after the
above
hours.

7.

Item. The Lessee shall receive ordinary Ferriage during the Winter from 7 o'clock in the morning to 5 o'clock in the evening, but he shall not be bound, except he please, to convey any one over in a tempest, or when the Windmill hath lowered its sail in consequence of storm or otherwise.*

Hours for
running the
Ferry in
Winter.

Ferryman
not bound
to cross in a
Storm, or
when the
Windmill
has taken
in sail.

8.

But no person shall be exempt from paying Ferriage, be he who he may, except only the Hon. Director General and Members of the Council, also Marshals or Bailiffs sent across by the government with a pass from the Secretary.

Public
officers
exempt
from
Ferriage.

9.

To the end that no person shall plead ignorance hereof, we order and command the Lessee to affix a copy of this Ordinance publicly in the Ferry houses on both sides of the Ferry, as we have deemed such to be for the service of Travelers and the good Inhabitants of this Province.

Ferryman
to hang up
copy of this
Law in
the Ferry
houses.

In witness whereof we have caused Our Seal to be appended hereunto. Done in Fort *New Amsterdam* the 1st July, A° 1654.

* The Windmill here referred to stood on the old Battery, and seemed to serve as a Barometer or Indicator of bad Weather to the Ferryman. Tr.

ORDINANCE

Of the Director and Council of New Netherland against removing property from the City of New Amsterdam during the present Panic, and forbidding the return to said City, after the Panic has subsided, of such persons as may remove. *Passed 7 July, 1654.*

[N. Y. Col. MSS. IV. 453; V. 296.]

THE Director General and Council of *New Netherland*,

To all those who hear, see or read these Presents, Greeting, make known.

Preamble.

WHEREAS experience hath now frequently manifested that some Englishmen, pretending to be Burghers and Inhabitants of this city of *New Amsterdam*, do notwithstanding hold and keep up, meanwhile, correspondence and communication with other disaffected persons of this place, and that such pretended Burghers and Inhabitants of this city, the moment they receive any unfavorable report from the North, or elsewhere, either verbally from spies or in writing from their Friends, Countrymen, or Correspondents, do, without communicating to Us or to the Inferior Court of this city, such advices or reports, immediately remove and carry away their Movable, Furniture, Beavers and other Valuables to the English Villages, which are less fortified and secure than this city, whereof are now seen divers proofs at various times; by which removal of Movable, Furniture and Merchandise they not only irritate, disturb, discourage and render disaffected the good and well disposed Citizens of this place and others residing in the Rural districts also; so that many disputes and quarrels have been thereby created, whereof the complaints have been brought before Us; but likewise, what is still worse, such Persons evince that they feel little love, affection and loyalty towards this place, except so far as their own per-

sonal interest is concerned; besides, what is still more dangerous, Privateers and other threatening enemies of this State are, by such removal of Movables, Peltry or Furniture, countenanced and assisted, and advised of the condition and circumstances of this City, to the serious discredit, disparagement and weakening of this Capital.

The Hon^{ble} Director General and Council wishing to provide as much as practicable and feasible herein, do hereby Ordain and command that no person, of what rank or nation he may be, shall, because of any evil report, remove any Goods of what nature they be, out of this City of *New Amsterdam* to any outlying Villages and Hamlets where they are in more danger from Privateers, Rovers, Vagabonds and other enemies of this State, on forfeiture of all such removed goods; and those who now and heretofore have repeatedly removed their Goods or any of them, or have allowed them to be removed, are hereby deprived of their Citizenship and at the same time ordered and commanded to depart out of this city *New Amsterdam* within four and twenty hours after the publication of these presents (during which time they are granted a safe guard for their person and property), and to follow their Goods which they have already sent away, and not to come back into this City on pain of being arrested and arbitrarily punished. We command our Fiscal, after the Publication of these presents, to notify the persons whom these concern hereof, and to warn them to depart.

Thus done in the Assembly of the Hon. Director General and Supreme Council holden in *New Amsterdam* in *New Netherland* this 7 July. Signed, *P. Stuyvesant, Nicasius de Sille, C. Van Werckhoven, Cor. Van Thienhoven.*

No Goods to be removed from *New Amsterdam* to any outlying village.

Penalty.

Persons removing their Goods deprived of Citizenship, banished from the city, and

Not allowed to return.

Fiscal to notify parties interested hereof.

ORDINANCE

Of the Director and Council of New Netherland against circulating False Reports, and for obliging those who have removed from the City of New Amsterdam to return thither. *Passed 11 July, 1654.*

[N. Y. Col. MSS. IV. 454; V. 298.]

THE Director General and Council of *New Netherland*,

To all those who see or hear these presents read, Greeting, make known.

Preamble.

WHEREAS we have been certainly informed and advised that some among our Subjects have now again, the same as last year, taken up and circulated a false, lying and self invented Rumor to the dishonor of the Supreme Government of this Province and the Dutch Nation, viz., that some Members of the Supreme Council with some of the Dutch Inhabitants had hired and instigated some Frenchmen and Indians to massacre and plunder the English people residing among us. Which circulated Rumor, although false, unchristian and devoid of the least probability, was, nevertheless, propagated so pertinaciously and shamelessly by some who were for the most part English Refugees from *New England*, in order to incite greater commotion among the good Inhabitants, that they, to give more color to the Lies, abandoned their Houses and Plantations and retired and withdrew one with the other to the village of *Gravesend*, where some Vagabonds, Rovers and Pirates have for a long time past, collected and skulked together; among the rest *Samuel Brocquet*, the Leader and Thief of the stolen Horses, for what purpose is best known to themselves, the Director General and Council find themselves bound and obliged, for their own vindication and the security of their subjects, to provide therein as much as possible. Wherefore, they order, command and enjoin hereby all their Sheriffs,

Officers and Magistrates of the respective Villages & Hamlets of this Province to apprehend and most securely to bring hither and to present before us, not only the first Originators and Disseminators of such false, lying and self invented Reports, but also those who relate and retail them upon the statement of others, even were it from the fourth, fifth or sixth hand, so that by this means, not only may the commotion be stopped, but also, if possible by examination and arrest, the Authors may be discovered and duly punished as an example to others. And in order to prevent in future such commotion among the good and well affected, the Director General and Council hereby declare all persons, of what nation or rank they may be, who by reason of such false, lying and forged Report, have fled away or abandoned their property, without making inquiry, as in duty bound, of the Director General and Supreme Council, or Inferior Magistrates concerning the same, to be deprived of their Burgherright and abandoned Lands, unless the persons who have run away do, within four and twenty hours after the publication hereof, return with their Families and all their removed Furniture and Cattle to reside on their abandoned Lands, whether they retired and repaired to the Village of *Gravesend* near the Privateers or elsewhere. Furthermore, in case anyone can furnish certain proof and information of the person or persons who may have forged and circulated such false, slanderous, unchristian Lies, and them deliver into the hands of Justice, he shall receive a reward of 300 guilders with the promise of the first office for which he may be qualified.

Thus done in the Assembly of the Director General and Council of *New Netherland, New Amsterdam*, this 11 July, A° 1654.

(Signed.) *P. Stuyvesant, Nicasius de Sille, C. van Wreckhoven, La Montagne, Cor. van Thienhoven.*

Disseminators of False reports, to be arrested and brought before the Director and Council.

Persons abandoning their property, deprived of their Citizenship and Lands unless they return within 24 hours.

Reward for the discovery of the authors, &c., of False reports.

ORDINANCE

Of the Director and Council of New Netherland, to prevent injury to the Fortifications. *Passed 11 July, 1654.*

[N. Y. Col. MSS. IV. 456; V. 302.]

THE Director General and Council of *New Netherland*,

To all those who see these Presents, or hear them read, Greeting, make known.

Walls of
Fort
Amsterdam
trodden
down by
Hogs.

That the works of the Fort have now been repaired and restored 2 or 3 times at considerable expense and labor, and every time trod under foot and thrown to the ground by the Hogs, from which the now repaired and newly constructed Works are exposed apparently to the same danger.

Goats,
Sheep and
Hogs to be
secured.

The Director General and Council being desirous, for the preservation of all the outer and interior Works, to provide against such damage, do order all good Inhabitants of this City that every one so secure and keep his Goats, Sheep and especially his Hogs that they do no damage to the Works, and warn, at the same time, all persons that the Hogs, Goats or Sheep which shall be found, twenty-four hours after the publication hereof, on the walls or constructed works of the Fort, either on the outer or interior works, shall be taken up and impounded, and one pound Flemish be forfeited for every Hog, Goat or Sheep, for the benefit of the person who shall take or catch it, or the Hog, Goat or Sheep shall be forfeited if the owner do not come to release it within the space of 24 hours.

If found
on the
walls of
the Fort,
to be
impounded.

Thus done in the Assembly of the Hon^{ble} Director General and Supreme Council holden in *New Amsterdam* in *New Netherland* this 11 July, Anno 1654.

By order of the Hon^{ble} Director General and Council.

(Signed,) CORNELIS VAN RUYVEN, *Secretary*.

ORDINANCE

Of the Director and Council of New Netherland, providing for the Increase of Sheep. *Passed 1654.*

[N. Y. Col. MSS. XII. 3.]

NOTE.—On the 18 May, 1654, the Directors at *Amsterdam* wrote to Director General and Council of *New Netherland*, as follows:

“In order to promote the Increase of Sheep (*het krijtventee*), an Edict goes herewith which your Honors will not only have published and posted up, but also take care that it be obeyed and executed. The object will be greatly promoted if you will, as we recommend, give notice that the number of cattle in each Colonie be taken, and the same recorded.”

This Ordinance is not among the Records. Tr.

ORDINANCE

Of the Director and Council of New Netherland, amending the Ordinance of the 28 January, 1654, imposing Duties on Indian Goods, Wines, Brandy, &c. *Passed 22 July, 1654.*

[N. Y. Col. MSS. IV. 457; V. 309.]

ACCORDING to the general, old and well known Preamble.
contracts, all Merchants are bound to pay in this country to the Director General and Council one per cent of all their Goods and Merchandize and, in addition, as much more as may have been imposed thereon before arriving, whereof the Petitioners cannot be ignorant.* It was owing to the benevolence of the Director General and Council that it has not been collected. But the Treasury being, at present, exhausted, in consequence of excessive expenses incurred and some moneys borrowed to meet them, it is impossible for the Director General and Council to maintain the Civil, Ecclesiastical and Military Officers, much less to pay the incurred debts, in case they remain any longer deprived of the One per cent

* Certain merchants of New Amsterdam who had imported Goods after the passage of the Tariff of 28 January, asked to be exempted from the payment of the new Duties.

Instead of
the Import
duty of One
per cent, a
Duty to be
imposed on
Indian
Goods.

Duties on
Indian
Goods

Wines,
Brandy and
Foreign
Beer.

Goods may
be removed
on payment
of the Duty.

and other subsidies, yet observing the increased difficulty and burden which it would cause the Commonalty and the increased expenses which would accrue to the Merchants, if the Director General and Council should exact, according to the general, old, known contracts, One per cent from all Merchandize, they have pursuant to their published Resolution adjudged it fitter and more reasonable, in place of the general [impost], to exact the equivalent only from the Indian cargoes and the most necessary goods, which, yet, return the largest profit, current money and pay, and are the least burdensome both to the Commonalty and the Factors. The Director General and Council do therefore, consider it unnecessary to refer the matter to the Directors in Fatherland, the rather as the low state of the Treasury and the augmentation of the expenses admit of no delay. Meanwhile in order to demonstrate our good will and inclination to encourage Trade, and to remove the Petitioners' ground of complaint as to too great exactness, the Director General and Council do hereby relieve the Petitioners from about one-fourth part of the demanded Duty and stapleright, so that one piece of Duffels, usually 38, 39 and 40 ells long, shall pay, fl. 3
One ell of cloth, stuff or carpeting, fl. 0 1 8
One Indian coat, fl. 0 6 0
100 lbs Kettles, fl. 3
One dozen of blankets, fl. 3
A hogshead of Rhenish or French wine, fl. 6
An anker of Brandy, Liquor or Spanish
wine, fl. 2 10
A tun or half pipe of European Beer, .. fl. 2 10
Larger or smaller vessels in proportion.

We hereby command our Fiscal and Receiver not to demand or take more, on payment whereof according to order the Trader or Merchant shall not

experience any obstruction, but be absolutely allowed to remove and transport his wares from the Public Store and them to sell to his satisfaction and to their buyers' profit. What regards Salt, it is for the present time, on account of the great scarcity, free of all duty. Salt free of Duty.

Thus done in the Assembly of the Hon^{ble} Director General and Council holden in *New Amsterdam* in *New Netherland* this 22 July, A° 1654.

(Signed,) *P. Stuyvesant, Nicasius de Sille, C. van Werckhoven, La Montagne.*

ORDINANCE

Of the Director and Council of New Netherland, regulating the purchase of Lands from the Indians and requiring all who have not Patents to take out the same within six weeks. *Passed 2 August, 1654.*

NOTE.—This is a Renewal of the provisions contained in the Ordinance of the 1st July, 1652, *Supra* p. 130. It is referred to in *N. Y. Col. MSS. VIII. 64.*

ORDINANCE

Of the Director and Council of New Netherland, regulating the Weighing house in New Amsterdam. *Passed 10 August, 1654.*

[N. Y. Col. MSS. V. 319.]

THE Director General and Council of *New Netherland*,

To all those who see these Presents or hear them read, Greeting, make known.

Preamble.

That they, in order to prevent the Complaints of some evilminded persons, that no order is observed in this Country in regard to Weights and Measures,* have caused to be made and constructed, at the cost and charges of the Hon^{ble} Directors at the Chamber of *Amsterdam*, Lords and Patroons of this Province, a suitable Weighinghouse, and in addition to the stamped Weight have caused to be placed therein a stamped Skepel and Ell agreeing with the weight, contents and length of those of the city of *Amsterdam*, according to which all other Weights, Measures and Ells within this Province shall be regulated, observed and put in practice, on the penalty and fine prescribed by former Statutes. In order the better to bring the same into use, the Director General and Council have Ordained and Enacted, as they do hereby Ordain and Enact, that, from this time forward, all Goods and Merchandizes subject to the measure either of the Skepel or Weight, which will be brought into or carried out of this city, shall be

Weighhouse
established.
Stamped
Weights and
Measures
provided.

* Referring to the complaints made by Vanderdonck and others in Holland. See *N. Y. Col. Doc. I. 302*. "Some complaints having been presented to us here, that no proper law has been enacted, or at least observed, in regard to Weights, Measures, and the Ell, We have given orders that there be sent to you from here some Weights together with an Ell and Measure, in use in this city, in order to be deposited in the City Hall, and you are charged to see that the Wares and Merchandizes be sold or exchanged by said Measure and Weight, and that the contraveners be duly punished." *Directors to Stuyvesant, 18 May, 1654.*

weighed and measured by the sworn Weighmaster and Measurer before such Merchandizes or Goods are brought into this city, or exported and carried elsewhere out of it; for which the purchasers and sellers conjointly, or else the purchaser or seller alone, according to the conditions stipulated at the purchase, shall pay as the fee for weighing or measuring as follows :

First, with regard to the Weighinghouse.

For		For		
All sorts of Silk goods,	} 15 Stivers per hundred.	Indigo,	} 10 Stivers per hundred.	Fees of the Weigh- house.
Spun Silk,		Preserves,		
Cochineal, or		Sugars,		
Saffron,		All sorts of Spices,		
		Spanish hides,		
		Beavers,		
Candles,	} 5 Stivers per hundred.	Dry fish,	} 4 Stivers per hundred.	
Tobacco,		Salt meat,		
Hops,		Pork,		
Grease,		Tallow,		
Sarsaparilla,		Pitch,		
Sassafras,		Sulphur,		
Elephants' teeth,		Rosin,		
All sorts of Dyewood,		Cordage,		
Cotton and Cotton Yarn,		Lead,		
Wool and Worsted Yarn,		Iron,		
Dry hides,		Copper,		
Copper kettles,		Raisins,		
Butter,		Prunes,		
Cheese,		Rice,		
Starch,		Hard bread,		
Stockfishwood,		Flour,		

And for all odd Weights, above and below one hundred pounds, shall be paid, from one to 25 pounds, one-fourth part; from 26 lbs. to 50 lbs. inclusive, half fees; from 51 to 75 lbs. $\frac{3}{4}$ of the hundred, and above 75 lbs. to one hundred, full weigh fee. But inasmuch as a man may deliver at the same time to one and the same person, more than one quantity of the same sort of goods, all said quantities or weights of the one and the other shall be added together, and payment made there-

for according to the product of the whole, and for each lot, or draft, weighed shall be paid $\frac{3}{4}$ of one stiver.

Fees to be paid each time Goods are sold, or removed. But

And all the Goods subject to the Weighinghouse, or that are sold by weight, shall pay the Weighmoney as often as they are sold, transported, transhipped or removed. But to avoid the heavy charges for labor which the Goods may be subjected to, in carrying them to and bringing them from the Weighinghouse, either in cart, sleigh or boat, the delivery may be made from ship to ship, or from house to house, by the shortest and quickest way; provided that before the transportation or removal take place, the Weighmaster be notified thereof and the Weighing fee be paid, on pain of forfeiting the Wares and Merchandize or the just value thereof, or otherwise at the discretion of the Hon^{ble} Director General and Supreme Council.

Goods may be delivered from ship to ship or house to house,

Provided notice be given to the Weighmaster and his fee paid.

Penalty.

Goods may be weighed at the place of sale, on payment of certain fees.

Item. Any Wares and Merchandize sold by the lot or parcel, shall not be delivered before and until they are weighed, but the contracting parties can send for the Weighmaster, the scales and weights *in loco* and have the Wares and Merchandize weighed there and so delivered, on payment to the Weighmaster of four guilders $\frac{1}{2}$ day and the like sum for the use of the Scales and Weights; but if the buyer or seller have his own Scales or Weights, it will be sufficient only to pay the Weighmaster.

Fees of the Weighhouse to be paid into the General Office.

Provisionally and for the first year, shorter or longer, until the Director General and Council have an opportunity to farm out the Weighinghouse, agreeably to the laudable custom of the city of *Amsterdam*, the product of the Weighhouse, or the Weigh fees, shall be handed into, and paid in current pay at the General Office, and the duties of Weighmaster shall be provisionally performed by

The Goods and Merchandize which are brought to, or are received at the Weighinghouse, and belong to the Hon^{ble} Company, to this City, to the Board of Deacons, and other charitable bodies, being really and truly their property and to be converted to their use only, shall be exempt from the fee for weighing; all which the Weighmaster shall be obliged to weigh gratis and for God's sake.

Goods of the Company, Board of Deacons, and Charitable Institutions exempt from charge for Weighing.

The Director General and Council reserve to themselves, with the consent and ratification of the Hon^{ble} Directors, the Lords and Patroons of this City, to alter, diminish or to enlarge this Regulation according to the circumstances of the times and the condition of affairs.

Right to change this Law reserved.

Thus done in the Assembly of the Hon^{ble} Director General and Supreme Council holden in *Amsterdam* in *New Netherland* this 10 August, A° 1654. Present the Hon^{ble} General and all his Council.

ORDINANCE

Of the Director and Council of New Netherland, regulating the duties of the Provost Marshal. *Passed 20 August, 1654.*

[N. Y. Col. MSS. V. 334; XVI. 50.]

FIRST. The Provost shall be obedient and submissive, and must take the oath of allegiance to the Hon^{ble} Director General and Supreme Council, according to form.

Provost to take an Oath of allegiance;

Furthermore. He shall have his residence in Fort *New Amsterdam* where quarters will be assigned him, and he will be provided with the keys, locks and chains of the prison of which he shall be bound to take good care, to lock up and feed the Prisoners in the manner he is ordered by the Fiscal.

Reside in the Fort;

Have charge of the prison.

Item. He shall every morning and evening visit the Prisoners, examine the locks and take particular

Visit the Prisoners morning and evening;

care that no file, rope, ironwork or any thing sharp be left with the Prisoner.

Not put
other irons
on them
than are
ordered;

Also. The Provost shall not secure any one with heavier or lighter iron than he is ordered by the Fiscal, unless he by night or at unreasonable hours, lie in wait in order to break out, and in that case he shall do the best for the safer custody of the Prisoner, and afterwards report the matter to the Fiscal.

To notify
the Fiscal of
the commit-
tal of new
Prisoners;

And if it happen that a Prisoner or Prisoners be brought by any Sheriffs or Ship captains to the Provost to be locked up, he shall have power to place such immediately in confinement, but he must notify the Fiscal at earliest opportunity and deliver in writing the names of the injured parties and of the Prisoners.

May
imprison
Soldiers
found fight-
ing, and

Item. He may separate and imprison all Soldiers whom he finds fighting with drawn swords in the Fort or on the street.

Fine those
found with-
out side
arms, or
with candles
in barracks
after 9
o'clock.

Item. He shall impose a fine of 2 stivers on all Soldiers whom he finds without side arms, or in the evening in the Fort, after nine o'clock, with candles in their barracks.

Fees for
confining
Soldiers,
Citizens,
Officers, or

Item. The Provost shall, for each incarceration of any soldier, receive 10 stivers, and of every Citizen or Officer, twenty stivers.

Persons of
respecta-
bility.

Item. For Chief Officers or persons of respectability occupying his quarters, 30 stivers, and for the board in proportion, according to the order made thereon.

Penalties on
delinquent
Soldiers.

Item. The Soldiers who fail at parade, either in leaving too soon or coming too late, shall not only stand sentry double the time, but shall pay the Provost a fine of $2\frac{1}{2}$ stivers, and if anyone leave his arms, standing on guard, the Provost shall retain such arms, until they are ransomed by the payment of $2\frac{1}{2}$ stivers.

The Provost shall receive twelve stivers a day for the board of a common Prisoner, provided he furnish them weekly with the equivalent of the ordinary ration allowed by the Company, to wit:

Fees for
boarding
prisoners.

1½ lb. of Beef,

Rations of
prisoners.

¾ lb. of Pork,

1 lb. of Fish,

1 gill of Oil,

1 gill of Vinegar,

suitable pottage and a supply of bread per week.

Item. The Provost shall not be at liberty to absent himself from the Fort at night after the guard is posted, except with the special knowledge of the Fiscal and by permission of the Director General.

Provost not
to be absent
from the
Fort with-
out leave.

And the Provost shall, for his salary, receive the sum of 24 Carolus guilders per month, payable quarterly, exclusive of his board-wages and extraordinary fees above mentioned.

His Salary.

And if it happen that the Provost with his aids, be not sufficiently strong to effect his purpose, in consequence of the strength of wicked opposition, in the absence of the Fiscal, the Director General, or, in the absence of the latter, the Commanding Officer, shall, at his request, detail some soldiers from the guard to enable him the better to execute his orders.

To be aided
by a guard
in case of
necessity.

If the Provost arrest one or more soldiers, no person, be he who he may, shall oppose him, or rescue the Prisoner, on pain of being punished according to law.

Penalty for
obstructing
the Provost
in the dis-
charge of
his duty.

The Provost shall be bound to assist the Fiscal in making arrests and visits, and in executing his office.

Provost to
assist the
Fiscal.

Thus done in the Assembly of the Hon^{ble} Director General and Supreme Council this 20 August, A^o 1654, in *New Amsterdam* in *New Netherland*.

ORDINANCE

Of the Director and Council of New Netherland imposing a Tax on
Land and Cattle. *Passed 24 August, 1654.*

[N. Y. Col. MSS. V. 340; XVI 53.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

Preamble.

That they, during and since their administration, now continued during 7 consecutive years, have constantly and at divers times and occasions explained to the Representatives of the Commonalty of this *New Netherland* Province, the great expenses and charges which the Hon^{ble} Directors have, now for about 30 years borne and sustained in supporting various Civil, Ecclesiastical and Military Officers, besides other heavy and excessive outlays in furnishing quantities of Ammunition, Materials and other necessities required for constructing and maintaining Forts and other public Works, which expenses have been greatly increased and augmented from year to year and especially these two last years, whereunto the Director General and Council, as representatives of the Lords Patroons, have not been able to obtain any additional supplies up to this time except the Duties on Merchandise which do not amount to the third part of the necessary expenses, whereby their Treasury is considerably in arrear, and henceforth insufficient to meet any longer the charges annually augmenting by the increase of population. Although this has been often demonstrated with valid and clear reasons to the Representatives of the Commonalty, yet up to this date no vote of supplies has been obtained, not even the Tenths which all Inhabitants of this Province are for a long time owing, agreeably to the Exemptions and Freedoms of *New Netherland*. As

Tenths not
yet paid
and are

these Tenths, as regards both the Hon^{ble} Company and the Inhabitants of the *Flatland*, are difficult to be collected and delivered, the Hon^{ble} Director General and Council have, pursuant to their resolution, adopted 2 June, and resumed 28 August, resolved and concluded, to levy in place thereof, a reasonable Tax on Land and Horned cattle, in manner as follows:

Difficult of collection.

Every Morgen of land that anyone claims or is entitled to, by virtue of a patent, shall pay once annually, Twenty stivers, and

Tax on Land;

For every head of Horned cattle (Goats and Sheep excepted) above three years old or thereabouts, also Twenty stivers.

On Horned cattle and

For one of two years, Twelve stivers.

For Houses, and lots granted for building purposes, situate in the city of *New Amsterdam*, the village of *Beverwyck*, the neighborhood of *The Ferry* and elsewhere, belonging to persons who do not claim or own any land, there shall be paid at the General office, once yearly, the hundreth penny of the real value. The valuation thereof shall be made and done by a Commissioner from the Supreme Council and two impartial persons from the respective Courts of the aforesaid City and Villages, each in his jurisdiction, according to which valuation also, the vacant lots shall be transferred and sold in case the present owners and proprietors either neglect or are disinclined to build on the aforesaid vacant lots, in accordance with the printed Ordinances.

On Houses and Building lots.

Commissioners for assessing the property.

Vacant lots to be sold if not improved.

Thus done in the Assembly of the Hon^{ble} Director General and Supreme Council holden in *New Amsterdam* in *New Netherland* this 24 August, 1654, and revised the 28 August.

NOTE.—In the Summer of 1652, Director *Stuyvesant* suggested the imposition of a Tax on unimproved Lands. On the 6th of June 1653, the Directors at *Amsterdam* wrote to him as follows:

"In regard to the Edicts drawn up and transmitted by you, on the subject of uncultivated and unimproved Lands, and of Vacant Lots granted within the City of *New Amsterdam* * * * * We have, after examination, and some correction, had them printed here, and will send them to you herewith, in order to be published and posted up there.

"That the first of them may produce more effect and fruit, we have finally also resolved not to make any alteration in your aforesaid draft, except only that the Quit rent, or the payment of 12 stivers for each Morgen annually, shall first commence one year after the Lands will be brought under plough, or otherwise made use of, as you will be able more fully to perceive by the printed copies." *N. Y. Col. MSS. XI. 83.*

The war between *England* and *Holland* having caused increased expense to the Government of the Province, was the reason, we presume, that the Tax on Lands by the preceding Ordinance, included all, whether cultivated or uncultivated. *TR.*

ORDINANCE

Of the Director and Council of New Netherland against furnishing Liquor to Indians. *Passed 28 August, 1654.*

[*N. Y. Col. MSS. IV. 461; V. 343; XVI. 55.*]

THE Director General and Council of *New Netherland*,

To all those who see these Presents or hear them read, Greeting, make known.

Preamble.

That they see and observe by deplorable experience that, notwithstanding their previous and frequently renewed Edicts enacted against the selling or giving of Strong drink to the Indians, or Natives of this Country, many Indians are daily seen and found intoxicated, and being drunk and fuddled, commit many and grave acts of violence, not only at the *Flatland*, whence many complaints have been presented to us, but also, as our experience proves, many and divers Indians are almost daily seen drunk and intoxicated within the city; And whereas up to this time the persons who sell, furnish and give the Natives drink cannot be discovered, yet the public necessity being considered, together with the danger

that is to be expected therefrom in case such selling, furnishing or giving of Strong drink to the Indians is not prevented, discovered and punished, Therefore the Director General and Council of *New Netherland* do hereby most expressly forbid the aforesaid selling, furnishing, supplying or giving of any Strong drink to Indians either here, at the *Flatland* or on the Rivers, Streams and Kills, out of Sloops or in any manner or by any means, or by what persons soever the same may be done and practiced, not only on the penalty formerly expressed, to wit 500 Carolus guilders, but in addition, such persons shall be corporeally corrected and punished at the discretion of the Judge.

Indians not
to be sup-
plied with
intoxicating
liquors.

Penalty.

In order the more effectually to discover and to prevent the same, the Director General and Council of *New Netherland*, have with the approbation of the Committee and Delegates from the Magistracy of this City, adjudged it highly necessary, that from this time forward all drunken Indians shall be arrested and imprisoned and kept in confinement until they shall have told and declared who had furnished, sold or given them the liquor, which confession and declaration of theirs shall, according to the circumstances of the case and the persons, be accepted and believed on that point, and the violators hereof shall, on the declaration of the Indians, be punished according to law and the exigency of the case.

Drunken
Indians
to be
imprisoned
until they
make
known from
whom they
had the
liquor.

Evidence of
Indians in
the case,
admissible.

We command our Fiscal to cause these presents to be speedily published and posted every where that it is usually done, and after the posting and publication to put the same into due execution, without any respect of persons, the rather as we consider such to be for the public service and the peace of the Inhabitants, in order to prevent greater dangers and disasters.

Thus done in the Assembly of the Hon^{ble} Director General and Council holden in *New Amsterdam*, this 28 August, 1654.

(Signed,) *P. Stuyvesant, Nicasius de Sille, C. van Werckoven, La Montagne, Cor van Thienhoven.*

ORDINANCE

Of the Director and Council of New Netherland authorizing a Tax Levy in Midwout to defray Town Charges. *Passed 2 September, 1654.*

[N. Y. Col. MSS. V. 361.]

Magistrates
of Midwout
to levy a
Tax for
Town
charges.

THE Hon. Director General and Supreme Council of *New Netherland* hereby authorize the Schout and Magistrates of the Town of *Midwout*, at their request, to levy Six guilders on each Lot situate within the District of the abovenamed Town, as a supplement towards the Charges already, and yet to be, incurred.

Done *New Amsterdam*, 2 September, 1654.

ORDINANCE

Of the Director and Council of New Netherland for the better collection of the Excise at Fort Orange. *Passed 18 November, 1654.*

[N. Y. Col. MSS. V. 433.]

THE Director General and Supreme Council of *New Netherland*,

To all those who shall see these Presents, or hear them read, Greeting, make known.

Preamble.

WHEREAS we have been informed, and told on the part of the Farmers of the Excise, that some Inhabitants residing as well within as without the Jurisdiction of *Fort Orange* and Village of *Beverwyck* convey, lay in and store in cellars Wine and Beer without taking out or exhibiting a permit from the Farmer or his Collector, whence many frauds and much smug-

gling must ensue; Therefore for the prevention thereof we hereby Ordain and command, that no person of what quality soever he may be, shall carry, place in a cellar, remove or lay in any Wine, Brandy, Liquor or Strong beer, before or until he take out and exhibit a permit from the Farmer, Collector or other person appointed for that purpose, whereupon it is set forth whether such Wine, Liquor and Beer are conveyed and removed for a Tapster or for a Burgher, on pain of forfeiting such Wine, Liquor or Beer, or five times the value thereof. No Wines or Liquors to be laid in or removed, at Fort Orange or Beverwyck without a permit.

Penalty.

Done *New Amsterdam*, this 18 November, 1654.

(Signed,) *P. Stuyvesant, Nicasius de Sille, La Montagne.*

ORDINANCE

Of the Director and Council of New Netherland for the further protection of Fences. *Passed 31 December, 1654.*

[N. Y. Col. MSS. V. 466.]

THE Director General and Supreme Council of *New Netherland* have, it is known to everyone, heretofore enacted and posted divers Ordinances on the subject of robbing and stealing either Fruit, Fences or other articles from Gardens, Orchards and Farms, which good Ordinance and Regulation have been observed up to a certain time, so that no complaints were heard on the subject, until within a few days, from the Burghers and Farmers who are daily robbed of Clapboards, Palisades, Posts, Rails and other fencing stuff, which the proprietors set up for the protection of the Farms, Gardens and Orchards and security of the fruits thereof. Preamble.

Therefore, the Hon^{ble} Supreme Council wishing to provide herein as far as lies in their power, do hereby interdict and forbid all and every to break, take away or otherwise to injure any person's Farm, Persons committing damage on Farms, Orchards, Gardens, Fences or

taking away
Firewood
&c., to
receive
corporal
punish-
ment.

Orchard, Garden, Clapboards, Palisades, Posts, Rails Firewood, or any like thing, on pain of corporal punishment to be inflicted, without mercy or favor according to the exigency of the case, on such person as will, after this date, be found so doing; so that a stop may be put at once and for all to the complaints and damages of the Citizens, and every one be protected in his property.

Thus done in the Assembly of the Supreme Council of *New Netherland*, holden in *Fort Amsterdam* the 31 December, A° 1654. Published on the same day.

ORDINANCE

Of the Director and Council of New Netherland regulating the Duties and Fees of the City Marshal. *Passed 6 February, 1655.*

[N. Y. Col. MSS. VI. 9.]

City marshal to levy executions in cases affecting the revenue of the city of *New Amsterdam*.

FIRST. He shall be diligent, on the order of the Burgomasters and Schepens of this City, to levy execution in Civil cases touching the public Revenues of this City, and that on such allowance as shall, according to the exigency of the case, be considered proper.

2.

To execute the judgments of the Court of Burgomasters and Schepens;

Whenever any judgments pronounced by the Burgomasters and Schepens of this City are placed in his hands, he shall be bound to govern himself according to the tenor thereof, and having accepted them, to put them into execution in the most speedy and diligent manner, according to the custom of the laudable city of *Amsterdam* in *Holland*,* but with all discretion according to the circumstances and condition of the Inhabitants.

* See, on this Custom, *Rooseboom's Recueil van verscheyde Keuren en Costumen van Amsterdam*. Cap. XXXIV. TR.

3.

He shall not directly or indirectly be at liberty to receive any gifts or presents, either through the third or fourth hand, to the injury of the right of those interested or for the delay of execution.

Not to receive gifts or presents.

4.

Of all judgments which will be pronounced by Burgomasters and Schepens amounting to fl. 100 and upwards, the Marshal shall receive as judgment fee, from the winning party, Twelve Stivers.

Fees of the City Marshal on judgments amounting to 100 florins;

5.

On all other Judgments below a hundred guilders, the sum of Six stivers.

Below 100 fl.;

6.

On all Interlocutory judgments which are given in writing in the suit, Six stivers.

On interlocutory judgments;

7.

For every Notice, Summons or Renewal which the Marshal shall serve within the jurisdiction of this City, with the Return thereon, he shall receive Twenty-four stivers, on condition that he keep proper record of the Return with the day and date inserted.

For Serving Summons;

8.

For the Sale of goods under execution, Six guilders a day, the day being computed from 9 to 11 hours, or so many hours, more or less, according to the circumstances of the case.

For Sales under executions;

9.

For drawing up and posting Notices on three places, each notice 8 stivers a piece.

For posting Notices;

10.

For every Notice, Summons and Renewal on the Island of *Manhattans*, beyond the jurisdiction of this City extended up to the *Freshwater*, Thirty six stivers.

For serving notices &c., between the City bounds and the *Freshwater*;

11.

Beyond the North or East River, at *Pavonia*, or where there are no Courts on *Long Island*.

For every Notice, Summons and Renewal which the Marshal shall serve beyond the North or East river, whether at *Pavonia* and its vicinity, or on *Long Island* at places where there are not yet any Courts, he shall receive for each Sixty stivers, fee money, it being further understood that Boat hire and ordinary expenses may be brought into account against, and demanded by the Marshal of him who employs him.

12.

Marshal to render account of and pay money received without delay, first deducting his fees.

The Marshal shall, after the sale of the property and the receipt of the proceeds, hand over, without delay, to the successful party the money belonging to him, first deducting his fees.

13.

Not to sell more goods than are sufficient to satisfy the Judgment.

He shall not be at liberty to sell any more of the goods levied on than is about sufficient to pay the sum mentioned in the Judgment, including the costs incurred thereon.

14.

Schout &c., to assist the Marshal.

For the better executing of his office, the Schout, Court messenger and officers of Justice shall, if necessary assist the Marshal.

15.

Right reserved to alter this law.

The Director General and Council reserve to themselves the right to alter, enlarge or abridge these presents, according as circumstances may hereafter require.

Done, *Amsterdam* in *New Netherland*, date as above.

ORDINANCE

Of the Director and Council of New Netherland determining the Fee for executing a Deed before the Magistrates of New Amsterdam. *Passed 23 February, 1655.*

[N. Y. Col. MSS. V. 221.]

THE Burgomasters of this city *Amsterdam* are in Council granted and allowed, on their Petition and proposal, to demand for a Deed executed before them for Houses and Lots situate and being within this City's jurisdiction, One Beaver or Eight Guilders to be applied

Fees for acknowledging a Deed before Burgomasters of New Amsterdam.

3 Guilders for the Seal.

1½ Guilders for 2 Schepens who sign the Deed.

3½ Guilders for a fee for the Clerk.

Done in Council this 23 February, A° 1655.

(Signed,) *Nicasius de Sille, La Montagne, Cornelius van Tienhoven.*

ORDINANCE

Of the Director and Council of New Netherland renewing the Ordinance regulating the Inspection of New Netherland Tobacco, passed 18 February, 1653. *Passed 10 March, 1655.*

[N. Y. Col. MSS. VI. 22; XVI. 58.]

NOTE.—For the Original Ordinance, see *supra* p. 139

ORDINANCE

Of the Director and Council of New Netherland establishing a Tariff of Fees to be received by the Clerk of the Court of Breukelen, Midwout and Amesfoort. *Passed 5 May, 1655.*

[N. Y. Col. MSS. VI. 88.]

Fee for a
Judgment
of the
Schepens.

HE is allowed and permitted to exact as Fee for every decision pronounced by the Schepens, or entered on the margin of the petition, Twelve stivers, and for signing the minute, Six stivers.

For draw-
ing up a
Petition
and serving
the same.

For the draft of a Petition which he is required to sign by the petitioner, Sixteen stivers, if he hath to serve the petition in Civil cases, or Twenty stivers if he hath to serve it in case of Slander or Crime in the middle degree.

For a
Certificate.

For annexing a certificate, Twenty four stivers.

No Fee for
official
papers
presented to
the Director
and Council,
or ordered
by the
Schepens.

But Petitions and Remonstrances which are presented to the Director General and Council by order of the Schepens in their official capacity; also, all other writings and Instruments by command of said Schepens, he shall make out gratis, on the yearly salary promised to him by the Director General and Council.

Dated as above in *Amsterdam* in *New Netherland*.

(Signed,) *Nicasius de Sille, La Montagne.*

ORDINANCE

Of the Court at Fort Orange prohibiting Dutch Bosloopers. *Approved 27 July, 1655.*

[N. Y. Col. MSS. VI. 86.]

NOTE.—On the 30 of *June, 1655*, an Ordinance was enacted by the Court of *Fort Orange* prohibiting Dutchmen running in the Woods in order to forestall Indians on their way with Beaver. This Ordinance was approved 27 July, 1655, but is not among the Records. TR.

ORDINANCE

Of the Director General and Council of New Netherland, imposing a Duty on exported Negroes. *Passed 6 August, 1655.*

[N. Y. Col. MSS. VI. 70.]

WHEREAS the Director General and Council of *New Netherland* find that the Negroes lately arrived here in the little ship, the *Witte paert*, from the Bight of *Guinea*, are carried and exported hence, without the Hon^{ble} Company, or the Inhabitants of this Province having derived any revenue or benefit thereby, the Director General and Council have resolved and decided that there shall be paid at the General Office on the Negroes who will be carried or exported from here elsewhere beyond the jurisdiction of *New Netherland*, 10 per cent of what they are worth, or are purchased for. Dated as above.

Preamble.

Duty of Ten per cent ad valorem to be paid on Negroes exported from *New Netherland*.

(Signed,) *P. Stuyvesant, Nicasius de Sille. La Montagne.*

NOTE.—By a resolution dated 19 November, 1654, the *Amsterdam* Chamber of the West India Company, after considerable discussion, granted permission to *Jan de Sweerts* and *Dirck Pietersen Wittepaert* to proceed with their ship the *Witte paert* to the coast of *Africa* for Slaves and to dispose of them in *New Netherland*, "as such would tend to the increase of population and the advancement of said place." *N. Y. Col. MSS. XII. 11.* The above Ordinance refers to the Slaves imported in that vessel. This was the first cargo of Slaves imported into *New Netherland*, or the present territory of the State of *New York*, direct from *Africa*. TR.

ORDINANCE

Of the Director and Council of New Netherland exempting Jews from Military service. *Passed 28 August, 1655.*

[N. Y. Col. MSS. VI. 64; XVI. 59.]

THE Captains and Officers of the Burghers of this City inquiring of the Director General and Council whether the Jewish Nation resident in this City,

Preamble

Citizens
of *New*
Amsterdam
object to
Jews being
admitted
to serve in
the Burgher
Company.

People of
the Jewish
Nation to
be exempt
from Mil-
itary Duty,

On condi-
tion of pay-
ing 65 stivers
per month.

should be enrolled and march under their Burgher colors, which being duly weighed and thereupon considered, First, the disgust and dislike of the mass of Citizens to be Fellow soldiers of the aforesaid Nation, and to watch in the same guardhouse, and on the other hand, that the aforesaid Nation is not admitted or included in the famous emporium of *Amsterdam*, or, to our knowledge in any city of *Netherland*, among the citizens in the Trainbands or general Burgher guard; but that the aforesaid nation contributes a reasonable sum for their freedom in that regard; It is resolved by the Director General and Council, in order to prevent further mischief, that ageeably to the custom of the laudable government of the renowned commercial city of *Amsterdam*, the aforesaid nation shall be exempt from general expeditions and watches, on condition that each male person between the ages of 16 and 60 years shall for the aforesaid exemption, contribute to the support of the general Burgher charges, sixty-five stivers every month, and the Burgher court-martial is hereby authorized and commanded the same to obey until our further order, and, pursuant to the tenor hereof, the aforesaid contribution to collect once a month, and, if refused, to levy execution.

Thus done in Council in *Fort Amsterdam*, 28 August, 1655.

NOTE.—The Jews in *Amsterdam* (*Holland*,) were of different extractions—Portuguese, Spanish, Germans and Polish—and resided chiefly in St. Anthony's street, which was known as the Jewish Broad street. By the Laws of that city they were forbidden to speak or to write disparagingly of the Christian Religion; to make Converts to their own Faith; to exercise any Handicraft or carry on retail trade. Marriages between Christians and Jews were strictly prohibited, and even illicit intercourse was forbidden between men of the latter denomination and Christian females, although the latter might be of a disreputable character. Jews, however, enjoyed freedom of Religious worship; had their own Synagogues, Burying-grounds, and even their own Butchers, and celebrated their Marriages according to their own

ORDINANCE

Of the Director General and Council of New Netherland, for the better preservation of Fences. *Passed 9 October 1655.*

[N. Y. Col. MSS. VI. 95; XVI. 60.]

THE Honorable Director General and Council of Preamble.
New Netherland, hearing daily to their great regret serious complaints that Posts, Rails, Clapboards and other fences around land under seed and gardens, set

rites, having previously observed certain legal forms before a Magistrate or Notary Public. (*Handvesten, &c., der stad Amstelredam, fol. 1748.*)

The Jews who immigrated to *New Netherland* were principally of the Portuguese race; and the prejudices which existed in the Seventeenth and subsequent Centuries against this People, as a class, followed them to this country. In or about the year 1654, Director *Stuyvesant* wrote to the Chamber of the West India Company at *Amsterdam*, requesting that none of the Jewish nation be permitted to infest *New Netherland*. But this was declared by his superiors inconsistent with reason and justice. The fact was, the Portuguese Jews were stockholders to a large amount in the Company, and had applied for certain Privileges for their co-religionists. Thereupon a special Act was issued in their favor, dated 15 February, 1655, permitting them to trade to *New Netherland*, and to live and reside there, on condition that they should support their own Poor. This seems to be the earliest record of Jews settling in this State.

On the 27 July, 1655, those residing in *New Amsterdam* petitioned for a grant of land for a Burying-ground. This was refused on the pretext that they had "no need of it yet." Death however, soon removed this excuse and on the 14 Feb., 1656, they were granted a lot outside the city "for a place of interment."

Meanwhile, on 29 November, 1655, the Jewish Merchants in *New Amsterdam* claimed, in virtue of the Grant of February 15, the right to trade to all parts of the Province, and having put goods on board a sloop for the Delaware, asked that their petition be granted. But on a vote of the Council the privilege of a general trade was refused, and they were allowed only to forward the goods they had shipped; but this permission was not to be taken as a precedent. The other points of their petition were referred to Fatherland. In December following, one of those Merchants, named *Salvador d'Andrada*, purchased a house and lot in *New Amsterdam* at public Auction, for which he demanded a deed, "as he was ready to pay the purchase-money." This request was rejected "for pregnant reasons;" and, notwithstanding the proprietor asked leave to convey the property sold, the sale was declared null and void, and the premises were soon after sold to another person.

up at great expense, trouble and labor of the Inhabitants for the preservation of the Cornfields, are stolen by night and day; in order then to prevent the utter trampling under foot and destruction by Cattle of what is already planted and sowed, and is yet to be sowed and planted, through want of Fences, which if not seasonably attended to will, it is feared, be the case, and that all the Lands and Gardens being strip-

On the 13 of March, 1656, *Stuyvesant* was instructed that "the Consent accorded to these people to go to *New Netherland* and there to enjoy the same liberty their Nation enjoyed in *Holland*, included all Civil and Political privileges." But as *Stuyvesant* feared that they may claim Freedom of Religion also, he was told that "they should not presume to exercise Religious Worship in Synagogues or Meetings, and when they requested that privilege, to refer the petition to his Superiors."

The Jews now remonstrated that they were taxed for the public works, and justly demanded, as they were taxed, so should they be admitted to the same privileges as other Citizens, both as regarded trading to all parts of the Province and purchasing and holding Real Estate. But the government answered, that they were taxed like other Citizens, because they had the like protection; that they enjoyed all the rights the Grant of 1655 allowed them, and as for holding Real estate, that matter was referred to the Company in *Amsterdam*.

These Directors, influenced most probably by the Jewish stockholders of the Company, answered in pretty sharp terms on the 14 June, 1656:

"We have observed with displeasure that contrary to our Concession granted on the 15 Feb. 1655 to the Jews or Portuguese Nation, you have forbidden them the trade to *Fort Orange* and the *South River*, and the purchasing of Real Estate, which is here allowed without any difficulty. We had indeed wished that such had not been done, but that your Honors had more respectfully followed our Orders which you are punctually to obey according to their tenor. The Jews or Portuguese nation are not, however, to be at liberty to exercise any handicraft or to keep any open retail Store, which they cannot do in this City. But they shall pursue peaceably and quietly their Commerce as aforesaid and be at liberty to exercise their Religious Worship in all quietness within their houses. To which end, they will doubtless seek, as they have done here, to select and build their dwellings together in a more convenient place, on the one or the other side of *New Amsterdam*."

In the spring of 1657, an order was issued to the Burgomasters of that City to admit Jews also to the right of Citizenship. Such was the civil and political Condition of the Jews, under the Dutch in this country. The concession to the Jews, dated 15 February, 1655, is now among the State Records. Tn.

ped of Fences, what is sowed will come to nought, and, consequently, no grain will be harvested next year.

Therefore, the Hon^{ble} Director General and Council aforesaid, in the presence of the Burgomasters and Schepens of this City, being desirous to provide herein in time, as far as in their power lies, do, by these presents most expressly warn, and at the same time most strictly command all and every, of what rank or condition they may be, from now henceforth not to strip any Gardens, sowed or planted Lands of Posts, Rails, Clapboards or other Fences, on pain, if any one be discovered to have taken them away, in whole or in part, that he who will be found first to have violated this Law, shall be whipped and branded; and for the second offense, punished with the halter until Death ensue; without dissimulation or respect of persons; And if any one after the date hereof, give information as to who will have robbed any Lands or Gardens of Posts, Rails, Clapboards or any thing else, he shall receive a reward and his name shall be concealed. Every one is hereby warned.

No Posts,
Rails or
Fences to be
removed, on

Penalty of
being
whipped
and
branded for
the first
offense, and
of being
hanged,
if the
offense be
repeated.

Reward for
the dis-
covery of
the Thieves.

Thus done in Council in Fort *Amsterdam*, in *New Netherland*, the 9 October, A° 1655.

ORDINANCE

Of the Director and Council of New Netherland for levying an Assessment in the City of New Amsterdam. *Passed 11 October, 1655.*

[N. Y. Col. MSS. VI. 97.]

Preamble.

WHEREAS it has at divers times and occasions been thought proper and necessary in the opinion, yea, at the solicitation of the major part of the Citizens of this City *Amsterdam* in *New Netherland*, for the greater satisfaction of the major part of the Citizens, the safety of themselves, their houses and property, and for the better protection and security of the goods and Merchandise which are imported here by particular Skippers, Merchants, Factors and other passengers, to provide this City with some exterior Works, which Works, in this last unexpected conflict with the Indians, natives of this Country, it has been judged necessary to repair and to strengthen with a Blind of plank 5 to 6 feet high in order to be more secure against an assault and surprise of the aforesaid Indians; as appears by the Resolution adopted for that purpose on the 20 September at the City Hall of this City.

Public Works repaired and strengthened.

Loan taken up.

For which purpose, both heretofore and now again, some moneys have been advanced and furnished by sundry honest Merchants, which, according to the usage of all well regulated Cities and places, ought to be made good and supplied by the Burghers, Inhabitants of, and by the Traders to such places.

Therefore the Director General and Council of *New Netherland* having examined and seriously considered the written Remonstrance of the Burgomasters of this City exhibited at various times, have, as supplement of incurred and still necessary expenses on these public Works, permitted them in the presence of all the Schepens, except *Joannes Verbrugge*, as they do hereby consent, that the aforesaid

- Burgomasters shall, in the presence of the Hon Director General *Petrus Stuyvesant*, first and foremost solicit both from the trading Skippers, Merchants, Factors and Passengers and from the Citizens in general, a voluntary subscription and contribution, each according to his condition, state and circumstances, and in case of opposition or refusal either from any disaffected or illdisposed persons, which the Director General and Council do not anticipate, the abovementioned Burgomasters with the President of the Schepens are authorized, in the presence of the, aforesaid Director General, to assess such, and according to their circumstances and condition them to constrain to a reasonable Contribution, and promptly to enforce it by execution. Further hereby authorizing the aforesaid Burgomasters and President of the Schepens, present and future, in the presence and with the approval of the said Director General to find out and propose, at a more opportune time, according to the order and custom of our Fatherland, some reasonable and necessary Taxes on Lots, Houses and Real estate, for further supplement and still needful repair of the Works of this city, the City Hall and other requisite expenses.

Burgomasters to take up a voluntary contribution to repay the debt.

In case any one refuse to subscribe, Burgomasters to assess his share and levy execution on his property

Burgomasters to propose a Tax on Real Estate in *New Amsterdam*.

Thus done in the Assembly of the Director General and Council of *New Netherland*, in the presence and company of the Burgomasters and Schepens (except *Jan Pietersen Verbrugge*). Dated as above, in the Councel Chamber in Fort *Amsterdam* in *New Netherland*.

(Signed,) *P. Stuyvesant, La Montagne, Cornelis van Tienhoven.*

ORDINANCE

Of the Director and Council of New Netherland against persons going into the Country in small parties. *Passed 16 October, 1655.*

[N. Y. Col. MSS. VI. 103.]

Preamble.

WHEREAS the Director General and Council learn with regret that in these dangerous times some Christians do not hesitate to go into the Country in small parties, or when going out in stronger force, to separate from each other, or are not as they ought, to be, on their guard, nor do they mind their guns, by which carelessness and negligence it has already happened, more than once, that some Christians have been taken prisoners by the Savages and others killed. In order then to prevent this, the Director General and Council of *New Netherland* do hereby command that no person, of what quality soever he may be, shall henceforward undertake to proceed or to go inland without first having applied for and obtained the special consent of the Director General and Council or their deputy. When the consent of the Director General and Council to go inland with a party is obtained, the Director General and Council order that no person belonging to the troop or party shall run off, on pain of arbitrary correction to be inflicted on whomsoever will have acted contrary hereunto, and moreover, no ransom shall in anywise be solicited or paid, except at his own cost and charges, for any such person, who, against this prohibition and warning, hath, without permission or contrary to order, gone inland or separated from the troop and party, and is in consequence taken prisoner.

No person to go into the country without a Pass;

Or, when going there, to separate from his party.

Penalty.

Persons acting contrary hereunto to be ransomed only at their own expense, if taken prisoners.

Thus done in the Assembly of the Director General and Council holden in Fort *Amsterdam* in *New Netherland*. Dated as above.

ORDINANCE

Of the Director General and Council of New Netherland authorizing the laying out of the Village of Midwout. *Passed 16 October, 1655.*

[N. Y. Col. MSS. VI. 106.]

WHEREAS *Jan Strycker, Adriaen Hegeman, and Thomas Swartwout*, Inhabitants and Magistrates of the village of *Midwout*, situate on *Long Island*, have this day exhibited to us a certain Plan and Petition annexed, to be empowered to effect the concentration of the aforesaid Village, for the greater security thereof, and for enabling the Inhabitants in general, when necessary, the more readily and effectually to assist each other; Which, being examined by us, the Director General and Council of *New Netherland*, we have approved thereof, and so deemed it proper and necessary. We, therefore, do hereby authorize said magistrates *Strycker, Hegeman, and Swartwout*, to lay out the aforesaid Village according to the exhibited Plan; provided that 5 @ 6 lots be reserved for Public buildings, such as for the Sheriff, the Minister, the Secretary, Schoolmaster, village Tavern and public Court-house; hereby commanding the Inhabitants of the said Village in general to submit themselves without opposition, provisionally and until further order, to the proposal of the aforesaid Magistrates and this our good intention.

Done in the Assembly of the Hon^{ble} Director General and Council of *New Netherland*, holden in *Fort Amsterdam*. Dated as above.

Preamble.

Plan of the village of *Midwout* approved.

Magistrates to lay out the village accordingly.

Lots to be reserved for the Sheriff, Minister, Secretary, Schoolmaster, Tavern and Court-house.

ORDINANCE

Of the Director General and Council of New Netherland prohibiting intercourse with the Indians on the West side of Hudson's river.
Passed 18 October, 1655.

[N. Y. Col. MSS. VI. 107.]

Preamble.

No person
to cross the
River, or
hold inter-
course with
Indians on
pain of pun-
ishment.

Indians
authorised
to detain
such per-
sons and
their boats,
that cross
without a
pass.

All persons
forbidden
to frequent
the shore
on the
departure
or return of
the govern-
ment Boat,
or on the
arrival of
any Indians,
on pain of
arrest.

WHEREAS, by going backward and forward to the Indians, many false rumors and reports are circulated both among us and among the Indian Nation, to prevent which the Director General and Council of *New Netherland* again most expressly command and admonish all persons, of what quality soever they may be, not to go over with Boat or Canoe or any other Vessel, however called, or to hold any manner of intercourse or conversation with the Indians, on pain of arbitrary punishment: And the Director General and Council do, further, give warning that they have permitted and ordered the Indians, in case anyone go over or approach the Indians without a sign and token from the General, to detain and subject to ransom such Boat, Canoe, or persons. Let every one be on his guard against loss.

WHEREAS, further, the Director General and Council experience and palpably see the crowding and unseemly clamor of some of our Nation, whenever a Boat is dispatched by the Director General and Council to have a talk with the Indians about the ransoming of the Prisoners, and on its return, which not only alarms the Indians but also creates an unfavorable suspicion, and therefore they will not come over to speak with the Director General and Council; to prevent which the Director General and Council do hereby Ordain and command all persons of what rank soever they may be, not to be, or to go there about, on the departure or return of the Director General's row-boat, or when any Indians come across, and whoever, old or young, may be found in or about

the street, shall be subject to the penalty of being arrested by the Military and placed in confinement; and Parents are particularly admonished to inform their children hereof, and to warn them against damage.

Parents to
warn their
children.

Thus done in *Fort Amsterdam* in *New Netherland*.
Dated as above.

(Signed,) *P. Stuyvesant, La Montagne, Cor. van Tienhoven.*

ORDINANCE

Of the Director General and Council of New Netherland renewing the Ordinance against Goats running at large in New Amsterdam.
Passed 5 November, 1655.

[N. Y. Col. MSS. VI. 146.]

WHEREAS great complaints have heretofore been made, of the serious damage which the Goats and other Animals committed in and about this City, as well on the Fort and Gardens as to other planted fruits and trees, in consequence whereof, a prohibition has been repeatedly issued against keeping any Goats here, yet we find that several Goats are brought back here, which not only ruin all the Fruit-trees they can reach, but also destroy the Gardens of the Burghers, and lay waste the Corn-fields, whereof loud complaints are made to the Director General and Council of *New Netherland*, who therefore resolved hereby, in short, to renew the formerly enacted Ordinance to that effect, heretofore published, and, at the same time, to warn all those who have any Goats running here at this side of the *Fresh Water*, them to have kept and herded beyond or across the *Fresh Water*, also at night to shut them up in a Barn or Stable, so that said Goats may not be able to do any more damage to the crops and trees, on pain of the seizure and forfeiture, for the

Preamble.

Former
Ordinance
against
Goats,
renewed

Goats to be
kept and
herded
beyond the
Fresh water,
or to be con-
fined in a
Barn or
Stable.

Goats found
south of the
Fresh water
to be seized
and sold for
the benefit
of the Poor.

behoof and profit of the Poor, of any Goats that will be found, after the posting hereof, on this side of the *Fresh Water*.

Thus done in the Assembly of the Hon^{ble} Director General and Council holden in *Fort Amsterdam* in *New Netherland*. Date as above.

ORDINANCE

Of the Director General and Council of New Netherland increasing the Tavernkeepers' Excise throughout the Province of New Netherland. *Passed 29 November, 1655.*

[N. Y. Col. MSS. VI. 173.]

Preamble.

THE Director General and Council, considering the great and excessive expenses incurred the last year on account of the English troubles, and now again *de novo* created by the Southern expedition, besides those they must bear in consequence of this unexpected, deplorable encounter with the Indians, natives of these parts, which expenses are increased by maintaining a greater number of Soldiers than formerly, as well on the *South River* in *Fort Casimir*, as here, at *Fort Orange* and elsewhere; and that on the other hand, the Revenue is smaller than it was last year, estimating the Duties received at not half so much as they were last year, whereby the Treasury is considerably in arrears, and it is in the highest degree necessary that subsidies be found, in order to relieve and supply in some measure what is hereinbefore set forth;

Excise on
Liquors to
be taxed,

Therefore the above mentioned Director General and Council have resolved, inasmuch as the Excise on Wines and Beer to be consumed by the Tavern keepers and Tapsters next year, within the jurisdiction of this City *New Amsterdam*, will be publicly let to-morrow to the highest bidder. accord

ing to the praiseworthy custom and order of our Fatherland, to raise the Excise on Wines and Beer everywhere within this Province, so that henceforward there shall be paid by the Tavernkeepers and Tapsters as Excise for an ordinary

According
to the cus-
tom in
Holland.

Hogshead of French or Rhenish wine,	fl. 20	Excise Duties.
An anker of said wine,	4	
An anker of Spanish wine, Brandy, or dis- tilled Liquor,	7	
A marked tun of Strong <i>New Netherland</i> Beer,	4	
A tun of foreign Beer,	6	

Larger or smaller casks in proportion.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, dated as above. Resumed and published on the last of said month of November.

(Signed,) *P. Stuyvesant, Nicasius de Sille, La Montagne.*

ORDINANCE

Of the Director General and Council of New Netherland fixing the price of strong New Netherland Beer. *Passed 29 November, 1655.*

[N. Y. Col. MSS. VII. 174; XVI. 61.]

THE Director General and Council of *New Netherland* having considered on the one side the great, excessive and immoderate profit which the Brewers exact on their brewed Beer, and on the other hand, the repeated complaints presented to them by the Inhabitants of this Province against the Brewers, that they, on the imposition or increase of any Taxes, are making their Beer, each time, thinner and poorer, and will, notwithstanding, have the same price; yea, more than they asked for it when grain was dearer and scarcer than it is at present; which tends to the great prejudice of the Inhabitants, and only to enrich some few: Wherefore, the aforesaid Director General

Preamble.

Brewers not
to charge
more than
20 guilders
for a tun of
strong Beer.

and Council do, hereby, command and Ordain that all Brewers within this Province, or those who make a business of Brewing; and dispose or sell their Beer to others, shall sell, or take for a gauged Tun of strong *New Netherland* Beer, no more than Twenty guilders, for which they shall be bound to brew good Beer, particularly not weaker than has been hitherto manufactured.

Done in *Fort Amsterdam* in *New Netherland*, the 29 November, A° 1655.*

ORDINANCE

Of the Vice Director of Fort Casimir imposing an Excise on Liquors at Fort Casimir, and prohibiting the sale of Liquor to Indians on the South river (Delaware). *Passed 20 December, 1655.*

[N. Y. Col. MSS. XVIII. 21.]

Preamble.

WHEREAS, it is resolved, pursuant to the Instruction of the Hon^{ble} Vice Director and the order of the Hon^{ble} Governor and Supreme Council, to impose some Duties on Liquors for the maintenance of the Fort and other indispensable expenses, therefore, the Inhabitants of this place are warned that there shall be paid, from this time forward to the Vice Director,

Excise to be
paid by
Tavern-
keepers on
Wine,
Brandy and
Beer.

For one hogshead of French Wine,	fl. 20
For one anker of Brandy, or distilled	
Liquor,	7
For one tun of Holland or Foreign Beer,	6
For one tun of New Netherland Beer,	4

Larger and smaller quantities in proportion.

Liquors
laid in for
private con-
sumption
exempt
from
Excise.

Which Excise shall also be paid by those who drink in company or clubs; but those who will lay in some for their provision shall be exempt from this Impost.

No Liquors
to be sold
to Indians.

It is further expressly forbidden to all persons, be they who they may, to sell any Strong drink to

* See note to Ordinance of 18 August, 1653.

Indians, whereby these may be reduced to a state of drunkenness, on the penalty thereto prescribed at the *Menahatas*.

Also, no person shall attempt to sell or barter any property distributed to the Soldiers, on the penalty of having said articles taken for the use of the Hon^{ble} Company, and the value thereof in addition.

No person
to buy or
sell articles
belonging
to Soldiers.

ORDINANCE

Of the Director General and Council of New Netherland to prevent Firing of Guns, Planting May poles and other Irregularities within this Province. *Passed 31 December, 1655.*

[N. Y. Col. MSS. VI. 207; XVI. 62.]

THE Director General and Council of *New Netherland*,

To all those who see these Presents, or hear them read, Greeting.

WHEREAS experience hath demonstrated and taught that, besides an unnecessary waste of powder, much Drunkenness and other insolence prevail on New Years and May days, by firing of Guns, planting May poles and carousing; also other deplorable accidents such as wounding, which frequently arise therefrom. In order to prevent these in future, the Director General and Council expressly forbid from this time forth all firing of Guns, or planting of May poles within this Province of *New Netherland*, on New Years or May days; also the making of any noise by beating of Drums, or the retailing of Wine, Brandy or Beer on these occasions, and this only to prevent more accidents and mischief, on a penalty of 12 guilders for the first offense; double for the second offense, and for the third an arbitrary correction; to wit, one-third [of the fine] for the Officer, one-third for the Poor and one-third for the com-

Preamble.

Firing of
Guns, plant-
ing of May
poles

Beating
of Drums
and selling
Liquor on
New Years
and May
days, pro-
hibited.
Penalty.

plainant; they further hereby Order all Inferior Courts within this Province, to cause these presents to be published and posted at the usual places, and the same to be promptly executed.

Thus done in the Assembly of the Director General and Council in *Fort Amsterdam* in *New Netherland*, this last of December, A° 1655

ORDINANCE

Of the Director General and Council of New Netherland for the formation of Villages, and prohibiting Straw roofs and Wooden chimneys. *Passed 18 January, 1656.*

[N. Y. Col. MSS. VI. 226.]

Preamble.

WHEREAS sad experience hath from time to time proved that, in consequence of the separate dwellings of the Country people located on the Flatland in divers hooks and places, in complete opposition to the Order and good intention of the Hon^{ble} Company and its government here, many murders of People, killing and destruction of Cattle, and burning of Houses, have been committed and perpetrated by the Indians, natives of this Country, the most of which might have been, with God's help, prevented and avoided, if the good Inhabitants of this Province had settled themselves together in the form of Towns, Villages and Hamlets, like our neighbors of *New England*, who, because of their combination and compact residences have never been subject to such, at least not to so many and such general disasters, which have been caused, next to God's righteous chastisement, on account of our sins, by tempting the Savage Barbarians thereto by the separate residences of the Country people; the one not being able, in time of need, to come to the assistance of the other, in consequence of the distance of the places,

and the impossibility of the Director General and Council to provide each separate Country house with a guard. To this, then, besides the Murders, Damages and destruction of divers People, Bouweries and Plantations already suffered, is owing also the last, to the serious loss and hindrance of this country and the people thereof, the recurrence of which is to be apprehended and expected hereafter no less than now and heretofore, unless the good Inhabitants are taught by their losses and those of others to be wiser and more prudent, and to allow themselves to be influenced by good law, as they are bound to be, to form compact dwellings in suitable places, in form and manner as will be laid down to the Inhabitants, by the Director General and Council, or their Commissioners, when the Director General and Council will be able to assist and maintain their subjects, with the power intrusted to them by God and the Supreme government.

In order that this may be the better executed and obeyed in future, the Director General and Council aforesaid do, hereby, not only warn their good subjects, but likewise charge and command them to concentrate themselves, by next Spring, in the form of Towns, Villages and Hamlets, so that they may be the more effectually protected, maintained and defended against all assaults and attacks of the Barbarians, by each other and by the military intrusted to the Director General and Council; Warning all those who will, contrary hereunto, remain hereafter on their isolated plantations, that they will do so at their peril without obtaining, in time of need, any assistance from the Director General and Council. They shall, moreover be fined annually in the sum of 25 guilders for the behoof of the public.

Inhabitants
to concen-
trate them-
selves into
Towns and
Villages.

Penalty.

Furthermore, the Director General and Council in order to prevent a too sudden conflagration, do

Straw roofs
and Wooden
Chimneys
prohibited.

Ordain that from now henceforth no Houses shall be covered with Straw or Reed, nor any more Chimneys be constructed of Clapboards or Wood.

Thus done, resolved, resumed and enacted in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*. Dated as above.

(Signed,) *P. Stuyvesant, Nicasius de Sille, La Montagne, Cor. van Tienhoven.*

Published on the above day.

NOTE.—On the subject of the preceding Ordinance, the Directors in *Amsterdam* write as follows, on the 19 December, 1656:

"We are well pleased with the Edict your Honors have enacted respecting the Separate habitations of the outside people, provided it apply to the Builders of new dwellings, and not to those whose houses are already erected and constructed, for we do not think it fair to constrain the latter thereto." *N. Y. Col. MSS. XII. 45.*

ORDINANCE

Of the Director and Council of New Netherland establishing an Exercise on Slaughtered cattle. *Passed 18 January, 1656.*

[*N. Y. Col. MSS. VI. 229; XVI. 63.*]

THE Director General and Council of *New Netherland*,

To all those who see these Presents or hear them read, Greeting, make known.

Preamble.

WHEREAS divers complaints are daily made to them, which experience also confirms, that now and again Cows, Hogs, and other Animals at the *Flatland* are stolen, slaughtered and sold by Christians, or at least by persons reputed to be Christians, who go under the guise and name of Indians; to prevent which as much as possible, the Director General and Council aforesaid do hereby most expressly interdict and forbid even the owner to slaughter any Cattle, Hogs, Sheep or Goats from this time forward either within this City or any other Town, Village or

No Cattle to
be slaugh-
tered

Hamlet on the *Flatland* belonging to this Province, unless such owner first enter said Cattle, be it Ox, Cow, Calf, Hog, Goat or Sheep, on the same day he intends to slaughter it, with the Magistrates of the respective place where he belongs, or with such person as shall be thereunto appointed by the Magistrates, each in his respective locality, and receive a permit so to do, on pain of forfeiting the slaughtered animal and double its value; for which Permit to slaughter the owner shall pay to the Magistrate or the Collector, to be by the Magistrate appointed for that purpose, for the use of the public, one stiver in the guilder* of the true value of each animal, whether Ox, Cow, Calf, Hog, Goat, or Sheep. In case of dispute, the value to be determined by the Magistrates in their jurisdiction, or their Commissioners. Which moneys shall in each City, Village or Hamlet be laid up and kept, to be, in time of need, employed and applied for the maintenance and protection of the public interests and the villages, either in the levying of soldiers or purchasing of necessary ammunition according as circumstances shall require. The fines for transgressing this Law shall be applied and expended, one-third for the Informer, one-third for the Officer, one-third for the behoof of the Public, as aforesaid.

Thus done in Fort *Amsterdam* in *New Netherland*, the 18 January, A° 1656.

NOTE.—A Slaughter Excise was established in *Amsterdam* in 1645, and was fixed at the 40th "penning," or about two and a half per cent of the value of the animal. The *New Netherland* Excise amounted to 5 per cent. The latter Law was copied from the former, which is to be found in the *Handvesten*, &c., van *Amstelredam*. Ed. 1748, fol. I. 171.

Without a permit.

Penalty for slaughtering without a permit.

Fee for a permit.

In case of dispute, Magistrates to determine the value of animals.

Proceeds of Tax, how to be appropriated.

Fines, how to be distributed.

* A guilder was equal to twenty stivers.

ORDINANCE

Of the Director and Council of New Netherland for the more effectual collection of Duties on exported Furs. *Passed 27 January, 1656.*

[N. Y. Col. MSS. VI. 257; XVI. 65.]

THE Director General and Council of *New Netherland*,

To all those who see or hear these presents read, Greeting, make known.

Preamble.

That they having experience of the gross frauds and smuggling which have, for a long time past, been committed with regard to the duties on Peltries, and imposts heretofore placed on the consumption of Wine and Beer which are exported, are resolved to publicly let them to the highest bidder in the middle of March, except the duties of the Customs and the 8 per cent on the Peltries which are sent direct by the return ships to Fatherland. In order to act with more certainty and the better to prevent

No Furs to be removed

all fraud and smuggling, the Director General and Council hereby warn and order all Skippers, Boatmen, Traders and Merchants, both Inhabitants and Strangers, not to embark, transport, carry or remove from this time forth, with Yachts, Boats, Carts, Wagons or in any other manner any Beavers, Otters, Bearskins or other Peltries, unless such Peltries be first regularly entered with the Company's commissary, each in his district, and an invoice under his signature of the full quantity thereof, by whom shipped or sent and to whom consigned, be brought to the

Unless previously entered with the district Commissary, and An Invoice thereof brought to the Fiscal.

Penalty.

Fiscal, on pain of forfeiting the concealed Peltries and double the value thereof, whether the Skipper or owner even brings them with him for his own use or as freight for others: hereby not only warning all and every one against loss but also, in addition, commanding their Fiscal, Commissaries and other officers strictly to execute this Law after the publication and

posting thereof, duly to inspect all departing and arriving Vessels, Boats, Carts, or Wagons and to proceed against the Smugglers as the case may require.

Thus done, enacted and resumed the 27 January, A° 1656.

ORDINANCE

Of the Director and Council of New Netherland against Conventicles.

Passed 1 February, 1656.

[N. Y. Col. MSS. VI. 261; XVI. 66.]

WHEREAS the Director and Council of *New Netherland* are credibly informed and apprized that here and there within this Province not only are Conventicles and Meetings held, but also that some unqualified persons in such Meetings assume the ministerial office, the expounding and explanation of the Holy word of God, without being called or appointed thereto by ecclesiastical or civil authority, which is in direct contravention and opposition to the general Civil and Ecclesiastical order of our Fatherland, besides that, many dangerous Heresies and Schisms are to be apprehended from such manner of meetings. Therefore, the Director General and Council aforesaid hereby absolutely and expressly forbid all such Conventicles and Meetings, whether public or private, differing from the customary, and not only lawful but scripturally founded and ordained Meetings of the Reformed Divine Service, as this is observed and enforced, according to the Synod of *Dortrecht*, in this Country, in our Fatherland and other Reformed Churches in *Europe*, under the penalty of One hundred pounds Flemish to be forfeited by all those who, being unqualified, take upon themselves, either on Sundays or other days, any office whether of Preacher.

Preamble.

Religious Meetings other than those of Reformed Dutch Church, prohibited.

Unqualified Preachers to pay a fine of 100 pounds.

Persons assisting at such Meetings to pay a fine of £25

Law not to apply to freedom of Religion already granted in charters.

Or to Private family worship.

Law to be published through out the Province.

Reader or Singer, in such Meetings differing from the customary and legal Assemblies, and 25 like pounds to be forfeited by every one, whether Man or Woman, married or unmarried, who is found in such Meetings. The Director General and Council do not, however, hereby intend any constraint of conscience in violation of previously granted Patents, nor to prohibit the reading of God's Holy Word, Family prayers and Worship, each in his household, but all public and private Conventicles and Meetings, whether in public or private houses, differing from the repeatedly mentioned customary and ordained Reformed Religion.

In order that this may henceforward be the better observed and obeyed, and that no one pretend ignorance thereof, the Director General and Council command their Fiscal and the Inferior Magistrates and Sheriffs to publish and cause to be published these presents everywhere within this Province and to cause them to be executed against the Contraveners, the more especially as we find such to pertain to the honor of God, the advancement of the Reformed Religion and the general peace, harmony and wellbeing of the country.

Thus done, resolved, resumed and enacted in Fort *Amsterdam* in *New Netherland* this First of February, A° 1656.

NOTE.—The preceding Law was aimed against the Independents of *Middelburg* (now *Newtown*) L. I., and the Lutherans of *New Amsterdam*.

On the 15 Jan., 1656, the Rev. Messrs. *Megapolensis* and *Drisius*, Ministers of *New Amsterdam* complained to the Director and Council that, since the departure of the Rev. Mr. *Moore* from *Middelburgh*, some of the Inhabitants of that town had, though entirely unqualified, presumed to hold Conventicles or Religious Meetings and to act in these as Ministers of the Gospel, whence nothing else could be expected than quarrels, confusion and disorder both in Church and State in that place, and a bad example to other parts of the Province. They, therefore, requested that some provision be made against such unlicensed proceedings. The subject was renewed on the 18th of the

ORDINANCE

Of the Director and Council of New Netherland for the immediate formation of the Village of Midwout. *Passed 22 February, 1656.*

[N. Y. Col. MSS. VI. 296.]

WHEREAS the Director General and Council of *New Netherland*, sufficiently understand not only by reports but by their own observation, that the

Preamble.

same month, and the above Ordinance, appears to have been issued accordingly.

Previous to this, however, about the year 1653, the Lutherans of *New Amsterdam* had petitioned for Freedom of Religious Worship, and for permission to call a Clergyman. Their petition was transmitted to the Chamber at *Amsterdam*. The Clergy at the *Manhattans* and the Classis of *Amsterdam* opposed the concession, and the Directors wrote as follows:

"12 March, 1654. In accordance with our Custom and that of the East India Company, we have resolved absolutely to refuse the petition which some of our Inhabitants and those of the *Augsburg* Confession have presented for a Minister and the enjoyment of free exercise of their Worship, and the consequences that might follow therefrom. We moreover have recommended your Honors not to receive or to transmit hither any more such petitions, but rather to reject them in the easiest and least offensive manner, and further to employ all reasonable and moderate means to win those people over, to the end that they be brought to hearing, and in time to the public profession of the Reformed Religion, in order thus to live and continue in greater love and unity together." *N. Y. Col. MSS. XII. 1.*

The Lutherans however seem to have continued their Meetings meanwhile. The Dutch authorities were not pleased with their open worship any more than with that of the Independents, and on the promulgation of the Law against Conventicles, some of the Lutherans were imprisoned.

On receiving this intelligence and a copy of the Law, the Directors at *Amsterdam* disapproved at once of the Ordinance, and of the severity with which it had been enforced.

"14 June, 1656. We should have gladly seen that your Honor had not posted up the transmitted Edict against the Lutherans, and had not punished them by imprisonment which they declare was inflicted on them, inasmuch as it has always been our intention to treat them with all peaceableness and quietness. Wherefore your Honor shall not hereafter allow any more such or similar Edicts to be published without our previous knowledge, but suffer the matter to pass in silence, and permit them their free Worship in their houses."

To the Lutherans of *New Amsterdam* therefore belongs the credit of having procured the Veto of the above intolerant Law. *Tr.*

Plan of the
Village of
Midwout
established,
and

Sent to the
Sheriff.

Village lots
to be laid
out accord-
ing to the
Plan.

All Inhabit-
ants to con-
form to said
Plan, and

To pay
assessments
to erect
palisades,
and a Block-
house.

Magistrates and Inhabitants of the Village of *Midwout* cannot agree, but are almost continually at loggerheads, about the formation of their Village and the concentration of the Settlement, whereby so necessary an affair is delayed to the injury of the public and of private persons; the Director General and Council aforesaid were under the necessity, after inspection and examination, to provide therefor, and have to that end fixed upon a Model or Plan according to which they understand that the aforesaid Village ought and shall be formed under existing circumstances; which Model and Plan they herewith send to the Sheriff, *Peter Tonneman*, and the Magistrates of the aforesaid Village, with express order and command to lay out the settlement and the lots thereunto required in the form agreeably to the aforesaid Model, and to allot them to the first that is ready to build without distinction of persons and without making any alteration in the Plan; hereby commanding, at the same time, all Inhabitants already residing, or hereafter coming to live in the Village aforesaid, to submit themselves to the aforesaid Order, model and survey, and to the Taxes or assessments which the aforesaid Sheriff and Magistrates shall find necessary to collect with the advice of the Director General and Council, in order to promote the setting off of the aforesaid Village with palisades and a Blockhouse.

Thus done in the Assembly of the Hon^{ble} Director General and Council, holden in *Amsterdam* in *New Netherland*, dated as above.

(Signed,) *P. Stuyvesant, Nicasius de Sille, La Montagne, Cor. van Tienhoven.*

RESOLUTION

Of the States General ratifying the Treaty of Hartford. *Passed February 22d, 1656.*

[*Acts-Book of the States General.*]

Act of approbation of the therein inserted Extract of an Agreement made and concluded at Hartford, relative to the Boundary line between *New Netherland* and *New England*, &c.

THE States General of the *United Netherlands*,
To all those who shall see these presents or hear them read, Greeting, be it known.

WHEREAS there hath been delivered unto us, by Preamble.
order of the Directors of the Incorporated West Company at the Chamber at *Amsterdam*, the Extract of the Articles of Agreement hereafter set forth, made and concluded at *Hartford* in *Conitticot*, the nineteenth of September, XVI^e and fifty, relating as well to the Line of Division between *New Netherland* and *New England* as to other matters, in the words following :

Extract of the Articles of Agreement made and concluded at *Hartford*, situate in *Conitticot*, the 19th September, 1650, between the Arbitrators of the Hon^{ble} Commissioners of the United Colonies and *Petrus Stuyvesant*, Director of *New Netherland*. Articles of Agreement between Omnecticut and New Netherland.

With respect to the Boundary line between the United English Colonies and the Dutch Province of *New Netherland*, we agree and conclude as follows :

1. That on *Long Island*, a line drawn from the westernmost part of *Oyster bay*, and thence in a direct and straight course to the sea shore, shall be the Boundary between the Dutch and English on *Long Island*: the Eastern part for the English, and the western part for the Dutch. Boundary line between the Dutch and English on Long Island, and

On the
Main.

Boundary
not to come
within ten
miles of the
North river.

The Dutch
not to build
within six
miles of the
Line.

Greenwich
to remain
under the
Dutch gov-
ernment.

The Dutch to
occupy the
lands they
actually
possess at
Hartford.

All other
lands on the
Connecticut
River to
belong to
the English.

Treaty to be
observed
until the
Boundary
be deter-
mined in
Europe.

2. The boundary on the Mainland shall begin on the west side of *Greenwich bay*, being about four miles from *Stanford*, and thence run inland in a northerly course Twenty miles, provided it shall not come within ten miles of the *North river*; after that as it shall be agreed upon by the two Governors—i. e., of the Dutch and *New Haven*; and it is agreed that the Dutch shall not at any time hereafter build any houses within six miles of the said line; the inhabitants of *Greenwich* to remain until further order and consideration under the government of the Dutch.

3. The Dutch shall hold and occupy the land at *Hartford* which they now actually possess, known by divers marks and tokens, and all the remaining lands on both sides of the *Fresh river* to belong and remain to the English there. And it is in like manner agreed that the aforesaid Boundary both on the island and mainland shall be observed and kept inviolate both by the United English Colonies and the Dutch Nation, without any further extension or trouble on either side, until there be a final conclusion determined upon in *Europe*, by the mutual consent of both the States of *England* and *Holland*.

Respecting Fugitives.

8th Article
of the Con-
federation of
the United
English
Colonies
respecting
Fugitives, to
be observed
by the
Dutch.

It is agreed that the same method shall be observed between the United English Colonies and the Dutch Nation in this country of *New Netherland*, agreeably to the eighth Article of the confederation between the United English Colonies, in that case provided.

A closer
Union
between the
English and
the Dutch
recom-
mended.

Concerning the proposition of a closer union and friendship between the English and the Dutch Nation in these parts, especially against a common enemy: We judge it to be worthy of good consideration by the United Colonies, and in like manner, desire it may be communicated and recommended to them, that a resolution therein may be taken at the next

annual meeting of the Commissioners. And in testimony of our unanimous consent to the foregoing several conclusions, have we signed these with our own hands, this nineteenth September, Anno XVI^o and fifty.

Lower stood:

SYMON BROADSTREETE, THOMAS WILLET,
THOMAS PRENCE, GEORGE BAXTER.

Therefore have we, after mature deliberation, approved and ratified, as we do hereby approve and ratify the Articles mentioned in the foregoing extract; requiring and ordering, that the contents thereof shall take effect according to their form, and be observed and maintained by all and every residing within our jurisdiction whom it may in any wise concern, without doing or suffering any thing to be done to the contrary, on pain of incurring our highest displeasure. For such we have found to be for the greatest advantage of the country. Ratification.

Given at the *Hague* under our seal, paraph and the signature of our Clerk on the two and twentieth of February, XVI^o and fifty-six.

ORDINANCE

Of the Vice Director and Council of Fort Casimir for the proper maintaining of Fences on Lands at the South river, and for other purposes therein mentioned. *Passed 23 February, 1656.*

[N. Y. Col. MSS. XVIII. 22.]

- Preamble;** **THE** Hon^{ble} Vice Director and Council admitted and appointed (by) the Hon^{ble} *Pet' Stuyvesant* on behalf of the General Incorporated West India Company, having taken into consideration that the prosperity of the community depends on the cultivation of the soil, and that it is, therefore, necessary that each one, for the preservation of the Lands which have been granted to him, keep them inclosed, in order that the people may preserve undamaged, and avail themselves of the labor they bestow thereon. Therefore, we, for the reasons aforesaid, have Ordained and Resolved, as we do hereby Ordain and Resolve, that each one shall effectually inclose his property, whether it be a lot or plantation, by the middle of March, on the penalty that each one who neglects so to do shall forfeit six Carolus guilders for the first time; for the second and third time, at the discretion of the Hon^{ble} Vice Director and Council.
- Penalty.** In like manner, it is Ordained that all those who have Goats shall conjointly provide a Goatherd, so that said Goats do not commit any damage on the Lands of others; and if this be not done previous to the first of March, such shall have no redress in case their Goats are found on any Lands, and are injured or killed.
- Goats to be herded.** In like manner it is hereby Ordained and enacted that no person, whether Freeman or Servant, shall undertake to sail up the river above *Fort Casimir*, without the previous knowledge of the Hon^{ble} Vice Director, on the penalty to be prescribed thereon by the Hon^{ble} Vice Director and Council.
- Conceded Lands on the Delaware River to be inclosed by the middle of March.**
- No person to sail above Fort Casimir without a permit.**

ORDINANCE

Of the Director and Council of New Netherland confirming the survey
of the city of New Amsterdam. *Passed 25 February, 1656.*

[N. Y. Col. MSS. VI. 302.]

THE Survey of the streets of this City, heretofore submitted to the Assembly of the Director General and Council, accompanied with a Model or Plan, according to which the Streets have been set off and laid out with stakes, having been, this day, again taken into consideration, the Director General and Council resolved and decided by plurality of votes, to confirm the aforesaid Survey for the present and future time, without making any alteration therein. Therefore the execution thereof is referred to the Burgomasters of this City, and they are authorized hereby, first and foremost to give public notice to all persons who may be damaged or injured by the said Survey, that they shall, within a certain peremptory time to be fixed by them, the earlier the better, furnish the Burgomasters a statement showing how much in their estimation, they are damaged thereby, and to agree for the benefit of the City, on the lowest compensation, and in case they cannot arrange with parties, to refer the matter to two or three respectable persons conversant with the subject and not interested in the Survey; which being done, the Burgomasters shall estimate, reasonably appraise the aforesaid Lots according to the determined quota, and them distribute to those ready to build thereon, but so that those interested have the preference to build on their own lots themselves, according to the Survey, if their circumstances permit, and remain in the mean time possessors and owners of their Gardens and Lots falling without the line of the Streets, until payment shall have been made therefor according to the Valuation and, for want of vacant Lots, necessity shall

Preamble.

Survey of
New Amsterdam
confirmed.

Burgomasters to give
public notice to
parties
interested

To state
damages,
with power
to make
compensation.

In case of
difference,
amount of
damage to
be decided
by disinterested
persons.

Lots to be
appraised
and distributed to
persons ready
to build, but

Actual
owners
to be preferred, and

To remain
in possession of land
outside the
line of Survey until
assessment
be paid and
the lots be
otherwise
disposed of.

Burgomasters to determine what Streets are first to be built on.

require the disposal of them to others. It shall remain to the Burgomasters to determine what Streets and Lots are first to be built on, only that according to ancient usage the patents required therefor are applied for and obtained from the Director General and Council.

Thus resumed and enacted in Our Council holden in Fort *Amsterdam* in *New Netherland*. Dated as above.

(Signed,) *P. Stuyvesant, Nicasius de Sille, La Montagne, Cornelis van Tienhoven.*

ORDINANCE

Of the Director and Council of New Netherland providing for the collection of Duties on Exported Furs and Liquors. *Passed 27 April, 1656.*

[N. Y. Col. MSS. VI. 371.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents, or hear them read, Greeting, make known.

Preamble.

WHEREAS the Farmer of the Duties and Imposts that belong to the Supreme Government from exported goods which are not sent direct to *Holland* with the return ships, hath submitted to us divers complaints of the great frauds and smuggling which are committed in regard to the abovementioned Duties, notwithstanding our Ordinance and Edict formerly enacted thereupon. Therefore the Director General and Council do, hereby, once more notify, warn and order all Skippers, Boatmen, Merchants and Traders residing in this Country, or resorting to this place, that henceforth they do not embark, transport, carry or remove with Yachts, Boats, Carts, Wagons, or in any other manner, any Beavers, Otters, Bearskins or other Peltries, or Wines, Beer or distilled Liquors,

No Furs or Liquors to be embarked or removed.

unless such Peltries, Wines and Beer are first pertinently entered with the Farmer *Poulus van der Beeck* or his Collector, who shall attend in the Weighing-house of this City from 7 to 11 o'clock in the forenoon and from 2 to 6 o'clock in the afternoon from the 15 April to the 15 of October, and from 8 to 11 o'clock in the forenoon and from 2 to 5 o'clock in the afternoon from the 15 October to the 15 April, and receive from him a Permit setting forth the full quantity, by whom shipped, or sent off, and to whom consigned, and on going beyond the jurisdiction of *New Netherland* to pay the Duty imposed thereon, viz.:

Of the Peltries according to the just value, 8 per cent.
For one tun of Holland or New Netherland

Beer, fl 3*

For one anker of Brandy, Spanish wine or

Liquor, 3 4 .

For one anker of French or Spanish wine or

the like, 1 12

Larger or smaller vessels in proportion; on pain of forfeiting the concealed Peltries, Wines and Beer and double the value thereof, whether the Skipper, or even the owner take them with him for his own use or on freight for others.

Further, to prevent difficulty between the Skipper, Boatman, Merchant or Trader and the Farmer (of the duties), every one is hereby ordered and commanded not to convey his entered Peltries, Wines and Beer from one house to another on the day when they are entered and the duties paid, but to transport them before sundown on board or to their place of destination; hereby warning not only all and every against loss, but also in addition commanding their Fiscal and other officers strictly to execute these

Unless entered with the Farmer of the customs.

Office hours at the Weighing-house.

Permit to be taken out.

Duty on Furs.

On Beer,

Brandy and

Wines.

Penalty.

No Furs or Liquors to be carried to other houses after entry, but to be immediately shipped.

* 1663. April 26. By an Order in Council this date all home brewed New Netherland Beer was declared exempt from Export Duty. *N. Y. Col. MSS. X.* pt. II. 77.

Vessels and
Vehicles
to be inspec-
ted on
arrival and
departure.

after publication and posting, duly to inspect and cause to be inspected all departing and arriving Sloops, Boats, Carts, or Wagons, and to proceed as the case requires against the defrauders.

Thus done in the Assembly of the Hon^{ble} Director General and Council of *New Netherland* holden in *Fort Amsterdam*. Date as above.

ORDINANCE

Of the Director and Council of New Netherland directing all articles over Twenty-five pounds to be weighed at the Weighinghouse. *Passed 27 April, 1656.* •

[N. Y. Col. MSS. VI. 873.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

Preamble.

WHEREAS divers complaints have been made to us by the Farmer of the Weighinghouse in this City that he is seriously damaged in the fees to him accruing from all the goods subject to being weighed or which ought to be sold by weight, inasmuch as many goods subject to be weighed are transported, shipped and removed without having been duly weighed and without the weigh-fees having been paid; Therefore the Director General and Council do hereby notify, warn and order all Burghers, Merchants and Traders residing in this country or resorting to this place, that from this time forward no person, of what quality soever he may be, shall be allowed to weigh, transport, ship or carry away any Goods subject to be weighed, or that are to be sold by weight, exceeding 25 lbs. without having first paid the fees for weighing thereof, according to the Ordinance set up in the Weighing-

No goods
exceed-
ing 25 lbs.
weight, to
be weighed,
shipped or
removed,
unless the
weigh-fees
be first paid.

house, and that as often and as frequently as they shall be sold, transported or transferred; But in order to avoid the heavy charges for labor which may burden the Merchandise in bringing them to and from the Weighinghouse, the delivery may be made, from ship to ship or from house to house, provided that, before the transportation or removal be made, the Farmer of the Weighinghouse is notified and the weigh-fees are paid; on pain of forfeiting the Wares and Merchandises or the just value thereof, or otherwise at the discretion of the Director General and Council.

Fee to be paid as often as goods are sold.

Goods may be delivered from ship to ship or from house to house, on payment of fee.

Penalty.

Further, in order to prevent all frauds and smuggling as much as possible, it is hereby expressly ordered and commanded that no person shall keep in his house, store or cellar any weight over 25 lbs., except with the express consent of the Farmer. Let everyone be warned hereby and guard himself against damage.

No person to keep on his premises any weights over 25 lbs., except by permission.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*. Dated as above.

ORDINANCE

Of the Director and Council of New Netherland further regulating the Weighinghouse in New Amsterdam. *Passed 27 April, 1656.*

[N. Y. Col. MSS. VI. 374.]

THE Director General and Council of *New Netherland*,

To all those who see these Presents, or hear them read, Greeting, make known.

Preamble.

That they, in order to prevent the complaints of some evil minded persons that no order is observed in this country in regard to Weights and Measures, have caused to be made and constructed, at the cost and charges of the Hon^{ble} Directors at the Chamber of *Amsterdam*, Lords and Patroons of this Province, a suitable Weighinghouse, and in addition to the stamped Weight have caused to be placed therein a stamped Skepel and Ell, agreeing with the size and length of those of the City of *Amsterdam*, according to which every other Weight, Measure and Ell within this Province shall be regulated, observed and put in practice, on the penalty and fine prescribed by former Statutes.

Stamped
Weights and
Measures
provided.

All Goods
brought to
or carried
out of the
City to be
weighed or
measured.

In order the better to bring the same into use, the Director General and Council have Ordained and Enacted, as they do hereby Ordain and Enact, that from this time forward, all Goods and Merchandises subject to measure either of the Skepel or Weight, which will be brought into or carried out of this City, shall be weighed and measured by the sworn and thereunto appointed Weighmaster and Measurer, before such merchandises or goods are brought into this City or exported and carried elsewhere out of it, for which the purchasers and sellers conjointly, or else the purchaser or seller alone, according to the conditions stipulated at the purchase, shall pay as the fee for weighing or measuring as follows :

First with regard to the Weighinghouse.

For		For		
All sorts of Silk goods,	} 15 Stivers per hundred.	Indigo,	} 10 Stivers.	Fees for weighing and measur- ing,
Spun Silk,		Preserves,		
Cochineal,		Sugars,		
Saffron,		Spanish leather,		
		All sorts of Spices,		
		Dried Fish,	} 4 Stivers.	
		Salted meat,		
		Pork,		
		Tallow,		
		Pitch,		
		Sulphur,		
		Harpuys,*		
		Cordage,		
		Lead,		
		Iron,		
		Copper,		
		Raisins,		
		Prunes,		
		Rice,		
Tobacco,	} 5 Stivers per cent.			
Sarsaparilla,				
Sassafras,				
Elephants' teeth,				
All sorts of Dyewoods,				
Cotton and Cotton Yarn,				
Wool and Woolen Yarn,				
Dried hides,				
Copper Kettles,				
Butter,				
Cheese,				

And for all uneven weights above and below one hundred pounds, there shall be paid, from one to 25 pounds one-fourth; from 26 to 50 inclusive half fee; from 51 to 75 lbs. three-fourths of the hundred and above 75 lbs. full fee. But inasmuch as a man may deliver at the same time to one and the same person more than one quantity of the same sort of goods, all said quantities or weights of the one and the other shall be added together and payment made therefor according to the product of the whole, and for each lot or draft weighed shall be paid $\frac{2}{3}$ of one stiver.

And all the Goods subject to be weighed, or that are sold by weight, shall pay the weigh money as often as they are sold, transported, transhipped or removed. But to avoid the heavy charges for labor with which the goods may be burdened in carrying them to and bringing them from the Weighinghouse,

* A composition of pitch, tar and rosin, with which ships are smeared.—DICT.

Goods may be removed from ship to ship or house to house on paying the fees.

Penalty.

No lots of Goods to be delivered before they are weighed.

Goods may be weighed *in loco*.

Goods belonging to the Company, to the City, to the Deacons and Charitable Institutions exempt from charge for weighing.

No person to weigh Goods over 25 lbs. or keep any higher weights, on his premises, except by permission.

Office Hours at the Weigh-house.

either in Cart, Sleigh or Boat, the delivery may be made from ship to ship or from house to house, by the shortest and quickest way; provided that before the transportation or removal take place, the Weighmaster be notified thereof and the weighing-fee be paid; on pain of forfeiting the Wares and Merchandise or the just value thereof, or otherwise at the discretion of the Hon^{ble} Director General and Council.

Item. Wares and Merchandises sold by the lot or parcel, shall ~~not~~ be delivered before and until they are weighed, but the contracting parties can send for the Weighmaster, the scales and weights *in loco*, and have the Wares and Merchandise weighed there and so delivered, on paying the Weighmaster four guilders per day and the like sum for the use of the scales and weights; but if the buyer or seller have his own scales or weights it will be sufficient to pay only the Weighmaster.

Only the goods and Merchandises which are brought to, or are received at the Weighinghouse and belonging to the Hon^{ble} Company, to this City, to the Board of Deacons and other Charitable Institutions, being really and truly their property and to be converted to their use, shall be exempt from the fee for weighing; all which the Weighmaster must weigh gratis and for God's sake.

Item. No person shall be at liberty to weigh in his house any goods exceeding 25 lbs. on pain as aforesaid, or to keep larger Weights in his House, Store or Cellar, unless by express consent of the Farmer of the Weighinghouse, on pain of Twenty guilders, those who sell weights excepted.

For the convenience of every one who wishes to have any goods weighed, the Farmer or his Collector shall be in attendance in the Weighinghouse, Sundays and Feast-days excepted, from 7 to 11 o'clock in the forenoon, from 2 to 6 o'clock in the afternoon

from the 8 April to the 8 October; and from 8 to 11 o'clock in the forenoon and from 2 to 5 o'clock in the afternoon from the 8 October to the 8 April.

The Weighmaster shall not be bound to weigh any goods before, after or between the hours aforesaid, but be at liberty in order to record the weight &c., unless that, whenever the hour arrive to close the Weighinghouse, some goods lie there or are in the act of being weighed, and the seller or buyer or both together offer to pay 12 stivers for keeping open the Weighinghouse, when the Weighmaster remains bound to open the place and to weigh the goods.

No Goods to be weighed after the regular hours.

Extra fees for work after the regular hours.

Item. The Farmer of the Weighinghouse shall take care that the Scales or Balances are kept very clean and free from dirt; in like manner, that the Scales are regulated when brought out before they are used; likewise, that such cleaning be frequently done to the Weighinghouse, when it is bad weather.

Weights and Scales and Weighinghouse to be kept clean.

The Director General and Council reserve to themselves, with the advice and ratification of the Hon^{ble} Directors, the Lords and Patroons of this Province, to alter, diminish, or to enlarge this Regulation according to the circumstances of the time and the condition of affairs.

Law may be altered if deemed necessary.

Thus done in the Assembly of the Hon^{ble} Director General (*sic*) holden in *Amsterdam* in *New Netherland*.
Date as above.

ORDINANCE

Of the Director and Council of New Netherland against lodging
Indians in New Amsterdam. *Passed 29 May, 1656.*

[N. Y. Col. MSS. VIII. 12.]

No person
to harbor
Indians at
night within
certain
limits.

Penalty.

THE Director General and Council, with the advice
of the Burgomasters and Field Officers of the Burgh-
er corps, hereby notify and warn every one that from
now henceforward no person shall harbor any Indians
during the night between this place and the *Fresh
water*, under the penalty of 25 guilders to be forfeited
by every one who hereafter may lodge a single Indian
during the night without a ticket signed by the
Director General or the Secretary.

Thus done in the Council holden in *Fort Amster-
dam* in *New Netherland* the 29 May, 1656.

ORDINANCE

Of the Vice Director and Council of Fort Casimir to prevent damages
by Hogs. *Passed 22 May, 1656.*

[N. Y. Col. MSS. XVIII. 23]

Hogs to be
yoked.

Hogs tres-
passing in
cornfields,
to be killed.

ALL Inhabitants residing, and owning Hogs near
Fort Casimir are hereby warned to put yokes on
the necks of said Hogs, within 24 hours, so that they
may not again trespass on the Hon^{ble} Company's
grain and destroy it any more; as, if, in future, any
Hogs be found among the grain, we shall be obliged
to have them killed by the Soldiers. Let every one
regulate himself accordingly.

ORDINANCE

Of the Court of Midwout and Amesfoort, for the better securing of the village of Midwout. *Passed 26 May, 1656; Ratified 3 June, 1656.*

[N. Y. Col. MSS. VIII. 56.]

PURSUANT to the Resolution of the Sheriff and Preamble. Magistrates of *Midwout* and *Amesvoort*, adopted and enacted heretofore with the approbation of the Director General and Supreme Council of *New Netherland*, dated 22 February, that the concentration of the dwellings and houses of this village of *Midwout* is highly necessary, and the Commonalty being convoked afterwards on that subject by order of said Sheriff and Magistrates, it was verbally proposed to them that for the general good it was equally necessary, in order to protect and strengthen the Village of *Midwout* aforesaid, that said place and Village of Midwout ordered to be fenced with palisades. village must be fenced in and secured in the rear by palisades, and each person so do for one house lot and parcel of land; which was then voluntarily accepted and undertaken by the Commonalty, with a promise to perform the same in fourteen days.

That time being now long since past and expired, and observing and remarking that some, to the serious prejudice of the general welfare, do not proceed with the setting out and fencing around of this Village, but on the contrary are remiss and in default, whereby the well intended Resolution of the Director General and Supreme Council is retarded and procrastinated, Therefore, the Court of *Midwout* and *Amesvoort* aforesaid, with the approbation of the Hon^{ble} Director General and Supreme Council aforesaid, wishing to provide herein, most expressly command, as they do hereby command and ordain, that those who, up to this time, are in default, do exert all possible effort not to fail from this time

Each of the
Inhabitants
to furnish
and erect
within 8
days
his share of
palisades.

Inspectors
to be
appointed.

Penalty for
neglecting
to erect
palisades.

forth herein, so as to prevent as far as possible all attacks and invasions of Indians and enemies. And all whom these may concern are again charged forthwith, without any delay or postponement, in eight days after the posting hereof, to have ready and erected, each, his quota and share of palisades. Commissioners to be appointed for the purpose, will, at the appointed time, go around and inspect, in order to examine and carefully observe every thing, and whosoever will then be found to have failed in the performance of his duty shall forfeit, as a fine and penalty, a sum of 25 guilders for each Lot, to be applied one-half to the Sheriff of this place and the other half for the behoof of the public affairs of the village of *Midwout* aforesaid.

Thus done and enacted by the Court of *Midwout* and *Amesvoort* abovementioned, with previous approbation of the Director General and Supreme Council of *New Netherland*. Dated *Midwout*, on *Long Island* the 26 May, 1656.

(Lower down.)

By order of the Court of *Midwout* and *Amesvoort* aforesaid, with previous approbation of the said Director General and Council in *New Netherland*.

(Signed,) PETER TONNEMAN herein Secretary.

Ratifica-
tion.

The Director General and Council commend and approve of the above Resolution of the Sheriff and Magistrates of the village of *Midwout*, therefore not only order and command hereby that the same be immediately carried into effect, but also authorize the Sheriff and Magistrates to put the same into prompt execution. This 3 June, A° 1656.

ORDINANCE

Of the Director and Council of New Netherland amending the Ordinance for the collection of Duties on Exported Liquors. *Passed 7 June, 1656.*

[N. Y. Col. MSS. VIII. 20; XVI. 75.]

THE Director General and Council of *New Nether-* Preamble.

land hereby make known, that on the Remonstrance and petition as well of the Dutch as of the English merchants resorting to this place, in regard to the Duties imposed on exported Wines, Beer, distilled Wines and Liquors, they have modified and mitigated one-third part in form as follows: In order not to annul the lease and not to prejudice the Farmer, the seller has to pay the Farmer one-third; the purchaser one-third and the remaining third shall avail the Farmer as an offset with the Receiver of the Director General and Council, so that the buyer and seller each individually has to pay the Farmer only, On one tun of Beer, fl. 1

Duties on
exported
Liquors
to be paid

One-third by
the Vendor,
one-third
by the pur-
chaser, and
one-third to
be allowed
as an offset
to the
Farmer.

Duties.

On one anker of Brandy, Spanish Wine or

Liquor, 1 1

On one anker of French or Rhenish wine, 0 11

Larger or smaller vessels \propto proportion.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam*, in *New Netherland* the 7 June, A° 1656.

ORDINANCE

Of the Director and Council of New Netherland for the payment of Tenth. *Passed 27 June, 1656.*

[N. Y. Col. MSS. VIII. 34; XVI. 73.]

Preamble.

THE Director General and Council of *New Netherland* do, hereby, make known: That they have been frequently ordered and instructed by the Lords Patroons to collect the Tenth which both the Colonies and private Bouweries, according to their obtained Patents and Grants, are owing, and some have been owing for many years; Therefore the Director General and Council hereby warn every one, to wit, such as by Patent or Deed are liable for Tenth, that he do not proceed to remove his cultivated crops, whether Grain, Maize or Tobacco before he has amicably agreed with the Director General and Council respecting them for the first and next year, or shown his crops to the Director General and Council, or their Commissioners, in order to select the Tenth from them agreeably to the Order and custom of our Fatherland; under a penalty of Fifty guilders, over and above the just value of the Tenth, according to the valuation of impartial persons, to be paid by such as will be found to have acted contrary hereunto.

Crops not to be removed

Before the proprietor compounds for the Tenth.

Penalty.

Thus done in *Fort Amsterdam* in *New Netherland*, the 27 June, A° 1656.

NOTE.—The object to which those Tenth were applied is explained in the dispatch of the Directors to *Stuyvesant* and the Council dated 19 December, 1656:

“We are right willing to believe that the collection of the Tenth is, as yet, of small importance, and the cause of much trouble. Yet it must not on that account be neglected, but introduced, as heretofore frequently remarked, in the most discreet and prudent manner. For, although the amount will not be sufficient to pay each Town’s charges, such as the support of a Minister, Schoolmaster, &c., nevertheless the said Tenth must be collected and distributed on behalf of the Company among such official persons, the Inhabitants of the Town still remaining bound to supply the deficit by other subsidies and taxes. *N. Y. Col. MSS. XII. 45.* See further the Ordinance for the Better government of the Town of Flushing, *infra*, p. . TR.

Revenue from the Tenth how to be applied.

ORDINANCE

Of the Director and Council of New Netherland providing for the clearance of Vessels, and for the entry of Goods subject to Export Duties. *Passed 27 June, 1656.*

[N. Y. Col. MSS. VIII. 84; XVI. 77]

WHEREAS the Director General and Council of *New Netherland* are credibly informed both by a remonstrance of the Farmer (of the duties) and by information of others, that now and then Vessels depart from here, without asking or receiving from the Fiscal a proper pass, as is the custom, and without duly entering their exported goods, such as Wines, Beer and Peltries, which are subject to duty, whereby first the Farmer and consequently the public Revenue are considerably defrauded, the Director General and Council aforesaid wishing to provide herein agreeably to the Order and custom of our Fatherland, do, hereby, interdict and forbid from this time forward, any Ships, Yachts, Barks, Ketches or any other vessels, of what nation soever they may be, which cast anchor before, or near this City, again to lift the same or to sail hence elsewhere, to any place whatsoever, whether beyond or within this government, without having asked and obtained a proper pass from the Fiscal; under a penalty of 50 pounds Flemish.

Preamble.

Vessels not to sail from *New Amsterdam* without a pass.

Penalty.

In like manner, the Director General and Council also most expressly forbid any person to embark any Peltries, Wines or Beer which are subject to impost or duty, before and until they are duly entered, and the proper Duty and Impost money therefor paid, on pain of forfeiting the smuggled goods and three times the value thereof, to be applied as is proper; hereby not only authorizing but also commanding our Fiscal, before he grant a pass to any Barks or Ships, carefully to inspect the same.

Furs and Liquors not to be put on board vessels until entered and the duty be paid.

Penalty.

Thus done, resolved, resumed and published in the Assembly of the Director General and Council, holden in *New Netherland* the 27 June, 1656.

ORDINANCE

Of the Director and Council of New Netherland renewing the Ordinances for the formation of Villages, and against admitting armed Indians into Cities, Villages and Houses. *Passed 1 July, 1656.*

[N. Y. Col. MSS. VIII. 56.]

THE Director General and Council of *New Netherland* do hereby make known to all persons.

Preamble.

That they have been informed by some Indians that 2, 3 or four Indians of *Tappaen* were brooding some mischief, and had given out that they intended to kill one or more Christians on the Flatland; And Whereas the Director General and Council cannot ascertain where or against whom the blow is leveled, much less that it is a general plot of the Tribe, the rather since the warning has been given by the Tappaen Nation and other Indians, the Director General and Council with the assistance of the Burgomasters of this City cannot, for the present, apply any other order or remedy against it than hereby to renew their previous Ordinances and Edicts, to wit: that the separate Country people have to concentrate themselves in the nearest Villages and Hamlets, and to settle there, on the fine formerly affixed thereupon; and in the meanwhile, to warn every one to be on his guard, and not to go into the Woods or on the Roads except armed, and at least 2, 3 or 4 men together, in order to be able to oppose such Bushwhackers.

People in the Country to move into the nearest Village, and

Not to go out unless armed.

Further, in order to prevent such dangers of isolated murders and assassinations, the Director General and Council, with the advice of the Burgo-

masters of this city, cannot for the present devise any better or other expedient than already stated, and besides that, to interdict and forbid the admission of any Indians with a gun or other weapon, either in this City or in the Flatland, into the Villages and Hamlets, or into any Houses or any places, on pain of forfeiting such arms, which may and also shall be taken from them, on the complaint of the Inhabitants, by the Sheriffs, Marshals, or, in their absence, by one of the Magistrates, to wit: 14 days after the publication and posting hereof, or after notice and communication of this interdict have been given to the Indians, which the Director General and Council hereby order to be communicated to the Indians by some of their subjects acquainted with the Indian language, and that in the most civil and properest manner, it being intended and meant by the Director General and Council, with the advice of the Burgomasters aforesaid, only to prevent all difficulties between the Christians and Indians.

No armed
Indians to
be admitted
into
Villages.

Indians so
appearing
to be dis-
armed.

Notice of
this pro-
hibition to
be com-
municated
to the
Indians.

Thus done in the Council holden in *Fort Amsterdam* the 1 July, A° 1656.

ORDINANCE

Of the Director and Council of New Netherland renewing and amending the Ordinance against importing articles of Contraband. *Passed 11 August, 1656.*

[N. Y. Col. MSS. VIII 125; XVI 78.]

Preamble.

WHEREAS the Director General and Council of *New Netherland* are to their regret informed and told of the censure and blame under which they are lying among Inhabitants and Neighbors on account of the non-execution of their previously enacted and frequently renewed Edicts against the importation of articles of Contraband and the sale thereof as well to Christians as Indians, some not only presuming that the Director General and Council connive with the violators, but even publicly declaring that the Director General and Council aforesaid have made free the importation and trade in Contraband which, for that reason, is carried on with uncommon licentiousness and freedom. This hath moved, and again moves the Director General and Council to revive and renew the previously enacted Edicts against the importation and sale either to Christians or Natives of any kind of Munitions of War; which aforesaid Edicts, in order to prevent all ignorance and exception in the premises, they do hereby revive and renew, thereunto adding the following amplification, and have resolved, enacted and ratified, with the previous knowledge and approbation of the Directors of the Incorporated West India Company,

Former
Laws
against
Contraband
Trade
renewed
and

Amplified.

No person
to import
any Snap-
hance, or
Gunbarrels,
except one
Carbine.

That henceforth no person, of what nation or quality soever he may be, shall be at liberty to bring into the Country for his own or ship's use any sort of Snaphance or Gunbarrels, finished or unfinished, not even on the Company's permit, save only, according to order, one Carbine, being a firelock of three to three

and a half feet barrel and no longer; on the penalty as before.

Further, whereas daily experience proves that, notwithstanding the general prohibition, considerable munition of war is imported not only from Fatherland, by the arriving return ships, but also from other places and especially from *Virginia* and *New England*, which cannot well be properly remedied unless these vessels as well as the Netherlands ships and barks are closely inspected and visited: And (Whereas) the Frauds and Smuggling which they carry on cannot, according to the general complaint, be more rigorously remedied and prevented so long as such Ships and Barks do not load and unload in accordance with the Regulation and Order heretofore enacted on that subject, the Director General and Council do hereby resume, renew and enlarge said Regulation as follows:

Munitions
of War
imported
from
Holland,
Virginia
and *New*
England.

1.

All private Ships, Yachts, Barks, Ketches, Sloops and Boats, whether of Netherlanders, English, French, Swedes or any other Nation, desiring to anchor about the Island of *Manhattan* and this City, shall not seek or select any other roadstead than in front of this city of *Amsterdam*, on the *East river* between the Pier and the City gate, and on the *North river* in front of and near the *Beavers' path*, and at no other place, on pain of paying 25 guilders for the first time; 50 guilders for the second time, to be forfeited after they have been warned.

All vessels
to anchor

In the
East river
between the
Pier and
City gate,
and in the
North river
in front of
the Beavers'
path.

Penalty.

2.

All Ships, Yachts, Barks, Ketches, Sloops and other craft, as aforesaid, being thus anchored before this city, and at no other place, shall, before discharging and loading any Goods or Merchandise, be obliged to give in an account or invoice of their cargo to the Director General or his Deputy, the Fiscal,

Invoices of
Goods to be
furnished,
and vessels
to be
inspected
before
taking in or
discharging
cargo.

Goods not
on the
Invoice to
be seized,
and five
times their
value for-
feited.

and submit to his visit both on their arrival and departure, and if he find any more Goods than appear on the rendered Inventory, Bill or Invoice, such goods shall, in legal form, be libelled as subject to confiscation by the Fiscal, as prosecutor and guardian of the Laws, and five times the value of the imported smuggled Contraband shall be exacted in addition on pain of arbitrary correction according to the printed Placard.

3.

Goods to be
loaded or
discharged
within the
City's lim-
its, during
Sunshine.

Penalty.

The receipt or delivery of all Goods and Merchandises which are delivered on shore or received on board shall be made and take place, without any exception of persons, or fraud, within the limits of this City and in no ways beyond the same, and that during sunshine, on the penalty, for the first offense, of the fourth part of the overtaken goods, and the forfeiture in addition, for the second offense, of the Scow, Boat or Vessel wherewith they are discharged.

4.

No Passen-
gers to be
received on
board and
carried
away with-
out a Pass.

Penalty.

No Skippers or any persons sailing with Ships, Yachts, Barks, Ketches, Sloops, or Vessels, shall take with them or carry away any of the Company's Servants, any Freemen or Inhabitants of *New Netherland*, of what nation or quality soever they may be, without the consent or handwriting of the Director General or his deputy, on the penalty of Six hundred guilders for each person.

Fiscal to
seize Goods
imported in
violation of
this Law.

And in order that no person may pretend ignorance hereof, the Director General and Council order and command that this Ordinance shall immediately be promulgated, proclaimed, published and posted where such promulgation, proclamation, publication and posting are usually done. They further charge and command the Fiscal and all other officers to prevent and arrest the importation and sale of the aforesaid

goods and to levy execution on the same, in conformity to this our Ordinance, proceeding against and prosecuting the Contraveners and Violators thereof without partiality, connivance, favor, dissimulation or fraud, for such we have found to be for the service of the Country and the Inhabitants thereof.

Thus done in the Council holden in *Fort Amsterdam* in *New Netherland*, the 11 August, A° 1656.

CONDITIONS

Offered by the City of Amsterdam to those who may be sent as Colonists to the South River of New Netherland. *Passed 12 August, 1656.*

[Royal Archives at the Hague.]

1

THE Colonists should go thither in suitable ships with their families, requisite household furniture and additional necessities; for which purpose license shall be applied for and obtained from the *Amsterdam* Chamber of the West India Company.

Colonists and families going to the South river to apply for permit.

2.

The City of *Amsterdam* may make the best agreement it can with the skippers for the transportation of both people and goods.

City of Amsterdam to agree for their passage, and

3.

Said City is to advance the passage money, on condition that it be hereafter repaid to the City in manner hereinafter mentioned.

To advance passage money.

4.

To the end that the said Colonists may gain their livelihood there safely, honestly and prosperously, the City aforesaid doth beforehand guarantee as follows:

Guarantees offered to Colonists:

5.

City of
Amsterdam
will
provide
good land
in a mild
climate
free from
any coun-
ter claim;

First. Said City will provide and assign a fruitful soil in a healthy and temperate climate, watered by and situated upon a fresh water river which can be navigated by large ships; for which purpose an agreement shall be previously made with the West India Company for a place at its disposal and to which no other persons have any claim.

6.

Lay out and
fortify a
place for the
residence of
Colonists,
and divide it
into streets,
&c.;

Here the City will lay out a proper piece of land on a river side for a safe habitation and residence of the Colonists, and fortify it with a ditch without and a wall within; and divide the inclosed land into streets, a market, and lots suitable for the use as well of traders and mechanics as of farmers; and all this at the expense of the City.

7.

Supply a
Schoolmas-
ter, and

The City of *Amsterdam* will send thither a proper person for Schoolmaster, who shall also read the Holy Scriptures and set the Psalms.

8.

Pay his
Salary;

The City of *Amsterdam* shall provisionally and until further opportunity, provide the salary of said Schoolmaster.

9.

Furnish the
Colonists
for one year
with neces-
saries and
seed grain
build a store
and keep it
supplied
with pro-
visions and
clothing.

And to the end that the Colonists going thither may be provided with all proper necessaries, as far as possible, the City of *Amsterdam* will furnish them for one year with clothing and all sorts of seed grain, and, moreover, will build, in the place aforesaid, a large magazine or warehouse, wherein it will keep all sorts of articles, both for clothing and the subsistence of the people, and supply them with all sorts of seed grain; it will, likewise, keep a factor there, who shall furnish every thing necessary for clothing, housekeeping and farming, and sell these at the same

prices they are sold here, the Company's customs excepted.

10.

Concerning the Company's custom, the City will agree therefor as favorably as possible and especially that the duty to be paid in *New Netherland*, shall be employed in building and maintaining public works by those thereunto to be authorized by the West India Company and the City.

Duties to be expended on public works.

11.

The said fortified place allotted for the residence of the Colonists, whether called a city or town, shall be regulated in matters of Police and the administration of justice in the same manner as here in *Amsterdam*, whereof the practice and custom, particularly in regard to descents, shall be adhered to.

Laws of Amsterdam, especially as regard descents, to be in force.

12.

They shall first have one Schout or officer as the head of Justice, instructed as is the custom here.

The town to have a Schout,

13.

The Schout shall be appointed in the name of their High Mightinesses and the West India Company, by the Deputies of *Amsterdam*, who, for this purpose shall give authority to the Director by a power of attorney.

To be appointed by the City of Amsterdam;

14.

They shall, moreover, have three Burgomasters, who shall be appointed by the common Burghers, from the honestest, fittest and richest.

Three Burgomasters;

15.

And five or seven Schepens, to which end the body of the Burghers shall nominate a double number, in order that the Director, by power of attorney, as mentioned in Article 13, may make an election from them.

Five or seven Schepens, and

16.

A Common
Council

On the increase of the city or town to two hundred families or upwards, these shall choose a Common Council of XXI persons, who shall meet with the Burgomasters, and resolve together on all matters relating to the City government; but this Common Council, once instituted, shall thereafter have power, in case of the death of one or more of its members, to fill vacancies by a new election, unanimously, or by plurality of votes; in like manner, the said Common Council shall annually choose the Burgomasters in manner as aforesaid, and also have the nomination of a double number out of which the Schepens shall be chosen in manner as already mentioned.

Which shall
fill vacan-
cies in its
Board, and
thenceforth
choose the
Burgomas-
ters and
nominate
the Sche-
pens.

17.

Jurisdiction
of the Court
of Schepens,
in Civil and

The Schepens shall give judgments for all sums under one hundred guilders; but in cases exceeding one hundred guilders, the party aggrieved shall be allowed an appeal to the Director General and Council of *New Netherland*.

18.

Criminal
cases.

Said Schepens shall also pronounce sentence in all criminal cases, but an appeal therefrom shall be provisionally allowed.

19.

City of
Amsterdam
to furnish
a smith,
wheel-
right and
carpenter
and

The City of *Amsterdam* will agree with a smith, a wheelwright and a carpenter to go and live there for the convenience and service of the Colonists.

20.

Divide the
land into
farms.

The City of *Amsterdam* aforesaid, will divide all the lands round about said town or city, into suitable fields for plough land, pasture and meadow land, laid out on proper roads for going to and coming from them.

21.

Each
Colonist to
have as
much land

Every person who will follow farming shall have in free, fast and durable property, as many morgens, as

well of plough land as of pasture and meadow, as he and his family will be able to improve, and will require for grazing, be it 20 @ 30 or more morgens; provided all such lands which will be given and conveyed in fee to each of the Colonists, shall by them in two years from the conveyance, be brought under cultivation, on penalty of the same being taken from them and given to others.

as he is able to cultivate within two years.

Penalty for non-usage.

22.

Each of the Colonists shall settle and use his land freely, without paying poundage, horn money or salt money, for ten years, reckoning from the year in which the land is first sown or pastured; which ten years being expired, they shall not be taxed higher than those who are taxed lowest in any other district under the government of the Directors of the West India Company, in *New Netherland*. They shall, also, be exempt from Tenths for the term of twenty years, reckoning from the year in which the lands will be first sown; and on the expiration of said 20 years, the tenths shall then be paid to the City of *Amsterdam*; with the understanding always, that half of these tenths shall be expended for the support of the public works and of the persons employed in the public service there. In like manner, also, whenever any poundage or other taxes shall be paid, the money shall be employed in constructing public works and keeping them in repair, and in defraying the salaries of persons in service in that country.

Colonists free from poundage, horn money and salt tax for 10 years, and from

Tenths for 20 years.

How the proceeds of the Tenths are to be expended.

Taxes to be expended on public works and in paying salaries.

23.

The City of *Amsterdam* shall make arrangements that ships shall be continually and consecutively sent from *Holland* to load and bring over grain, seed, timber, and all other produce most profitable to the Colonists, who shall, in like manner, be at liberty to charter private vessels, provided they be consigned to the City of *Amsterdam*.

Ships to be sent over to the Colonies for the Country produce, and

24.

Stores to be supplied in *Amsterdam* for reception thereof.

Commission for the sale of such produce.

Tenth of the net proceeds of sales to liquidate advances to Colonists.

Wherefore, the City of *Amsterdam* shall have proper storehouses here for the storage of the grain and other property of the Colonists, to be sold for the benefit of the same, and shall return the proceeds thereof in such articles as the owners shall direct, deducting only two per cent for commission, and one-tenth of the net proceeds in payment of the disbursements made by the said City for the freight and passage of the persons and goods of the Colonists; and that until the aforesaid disbursements are refunded and no longer.

25.

Colonists to be supplied with Goods at a fixed price, and

The Colonists in *New Netherland* shall be at liberty to take out of the City's warehouse whatever they may require, at the fixed price, provided the account thereof be transmitted with the Colonist's goods, in order to be deducted therefrom.

26.

To cut and take whatever timber they require for building purposes free of charge.

Proviso.

The Colonists may, for building houses and vessels and carrying on trade, cut as much timber as they think fit, without paying any thing therefor, not only in the nearest and most convenient forests, but also in any other places situate in the district, and under the jurisdiction of the Company in *New Netherland*, and not already granted to and owned by any private person, provided they submit to the regulation in that behalf made, or hereafter to be made, as in Article 28.

27.

Secretary and inferior officers, by whom to be appointed.

The Burgomasters of *Amsterdam*, as founders and Patroons and as possessors of the jurisdiction, shall appoint the secretary, messenger, and other inferior officers.

28.

Free Hunting and Fishing allowed.

Hunting in the woods and fishing in all the waters and rivers, not heretofore owned by other persons,

shall be free to each of the Colonists under certain regulations to be made respecting them, by authority of the Company or their High Mightinesses.

29.

The City of *Amsterdam* shall provide for the transportation of all tools and farming implements, free and without paying any duty.

Tools and farming implements to be conveyed free of charge.

30.

And in regard to articles which are sent as merchandise, they shall pay to the Directors of the West India Company, as duty, according to the specification in the subjoined

Duties payable to the West India Company,

TABLE.

For 100 guilders Duffels 2½ pieces,...	{ Convoy, 8 Stivers each with ½ advance,.....	fl. 1. 8.8	On Merchandise.
	Duty, @ 12 per cent,	12.	
In <i>New Netherland</i> 4 per cent fl.4 light money, to wit: therix dollar @ 68 stivers,		13. 6.8	
For 100 guilders Blankets 23,	{ Convoy as above, with advance,.....	fl. 1.17.	
	Duty @ 12 per cent,.....	12.	
		13.17.	
N. B. The Duffels and blankets aforesaid, pay in addition to the convoy, a duty of 12 per cent to the said Company, Chamber at <i>Amsterdam</i> . All the following goods 6 per cent, but with a heavier rate of convoy.			
For 100 guilders, { Shirts, stockings, shoes, pedlers' wares, hats, Nurenburg wares and goods not included in the convoy list.	Convoy 4 stivers per pound flemish, and ½ advance,....	fl. 4. 8.8	
	Duty there, 4 per cent; here, 6 per cent,.....	6.	
		10. 8.8	
For 100 guilders, { Woolen cloths, says, serges and other silk, woolen or worsted stuffs, linen cloths.	Convoy with the advance, ...	1.10.	
	Duty there 4 per cent; here	6.	
		7.10.	
For 100 guilders, { Oil and Spanish wine,....	Convoy about	2.15.	
	Duty 4 and 6,	6.	
		8.15.	
For 100 guilders, Vinegar 6 hogsheds,.....	Convoy with the advance, ...	8.	
	Duty 4 and 6 per cent,	6.	
		14.	
For 100 guilders, French wine 4 hogsheds,.....	Convoy with the advance, ...	1.18.	
	Duty 4 and 6 per cent,	6.	
		7.18.	

For 100 guilders, Brandy, 1 hog-	{ Convoy, etc.,	1. 12.
head,	{ Duty there 4 per cent; here	6.
		<u>7. 12.</u>
For 100 guilders, distilled waters, 12	{ Convoy as above,	3. 6. 8
anchors,	{ Duty 4 and 6 per cent,	6.
		<u>9. 6. 8</u>
For 100 guilders, Nails 900 lbs.,	{ Convoy, ut supra,	3. 12.
	{ Duty 4 and 6,	6.
		<u>9. 12.</u>
For 100 guilders, Rice, Spices and	{ Convoy as above, about,	2. 8.
groceries,	{ Duty 4, and here	6.
		<u>8. 8. 8</u>
For 100 guilders, Hops, 300 pounds	{ Convoy with the advance, ...	7. 4.
weight,	{ Duty there 4, here,	6.
		<u>13. 4.</u>

Implements
of farming
and hand-
craft,

All materials and necessities for farming and the exercise of trade and handicraft are free of duty.

New Nether-
land pro-
duce, salted
and dried
fish, exempt
from Duty.

All products of *New Netherland* imported hither are free of duty. *Item.* All kinds of salted or dried fish, caught there.

Duty on
Peltries.

Peltry such as beavers, otters, &c., pay eight per cent.

Amplification of the aforesaid Conditions.

Minerals,
precious
Stones, &c.,
exempt
from Roy-
alty for 10
years, after
which

Any of the Colonists who by himself or his family or any person in his service, shall discover any minerals, crystals, precious stones, marbles, etc., of whatever nature they may be, may possess and keep them as his own, without paying any impost or duty for them, for the term of ten years; but after the expiration thereof, he shall be held to pay the Company one-tenth part of the proceeds.

To pay one-
tenth of the
proceeds.

The following was exhibited with the 2 drafts of Conditions, and refers to Article 9.

City of
Amsterdam
to furnish
warehouses
for the
inspection
and mark-
ing of Goods
to be
exported to
its Colonie,
and

The City of *Amsterdam* shall cause a convenient warehouse to be prepared wherein shall be deposited all the goods the said City intends to send to its Colonie in *New Netherland*, where they may be inspected, in the presence of a person appointed for that purpose by the City of *Amsterdam*, by anyone

authorized by the Directors of the West India Company, and marked with the marks of the City and Company, the duty thereon being paid to the Company according to the list hereof to be made and agreed on.

Which goods may then be laden with the Company's knowledge, in any vessel or vessels the said City will be able to obtain.

May ship
Goods in
any vessel

If the City of *Amsterdam* shall ship any goods or freight in any vessel going to *New Netherland*, it shall submit to the same regulations as others.

Going to
New Nether-
land;

But if the City of *Amsterdam* shall send away its own, or any chartered ship, laden only with its own goods, it shall send that ship or ships direct to its own City, town or Colonie, provided that all the goods put on board be opened in the City's warehouse there in the presence of some persons belonging to the Company appointed for that purpose, to whom also the letters and commission from the Company shall be delivered.

But its
own Goods
or vessels
chartered
on its own
account
must proceed direct
to its own
Colonie,
and be there
inspected by
one of the
Company's
officers.

In like manner all wares, produce or merchandise imported from the City's Colonie must be brought whole into the City here and opened in the City's warehouse in the presence of a person appointed for that purpose by the Company, and the duties due to the Country and the Company must be paid thereon.

Goods and
produce
imported
from the
City's Colo-
nie to be
inspected
by the
Company's
officer and
the Duties
thereon
paid.

NOTE.—The above Conditions were ratified by the States General on the 16 August, 1656, "saving and without prejudice to the right, jurisdiction and possession of the Colonies heretofore given out in the aforesaid Countries and of the property purchased in said District; with this understanding also, that whensoever there shall be in that place Two hundred families, or thereabouts, a Preacher and Consistory shall be installed there without any expense to the Company. And all this saving, also, the division of the districts which may be made among the respective Chambers." *N. Y. Col. Doc. I. 637.*

Conditions
ratified.

1658, Dec. 20; 1659, March 10. The Conditions were subsequently modified as follows:

Provision
for a clergy-
man.

As Art. 9, imposed entirely too great a burthen on the City of *Amsterdam*, it was expunged, and it was ordered that the provisions

Conditions
modified.

ORDINANCE

Of the Director General and Council of New Netherland explaining the Ordinance of the 11 August 1656, so far as regards the Anchorage ground in the port of New Amsterdam. *Passed 24 August, 1656.*

[N. Y. Col. MSS. VIII. 151.]

Preamble.

Anchorage
ground in
the port of
New Amsterdam.

All Vessels
to load and
unload at
the pre-
scribed
roadstead,
between the
City gates
and walls.

THE Director General and Council of *New Netherland* being informed of some obscurity or difficulty in their last published Ordinance or Edict, in the point respecting the anchoring near this City of *New Amsterdam*, do declare, in order to prevent all misunderstanding, that the meaning thereof is not, that no Ships, Barks, Sloops, Ketches or Yachts should come to an anchor in the *North river* or *East river*, in front of this City, except at the ordained places, tide, weather and time permitting or not permitting, but that all Barks, Yachts, &c., before they discharge any Goods or Merchandises on shore, or take any on board in such Ship, Ketch, Bark, Sloop or Yacht, they shall come therewith to the ordinary and cus-

remaining in the public Store be distributed only to those who have removed thither heretofore, which being done, what remained was to be disposed of to the best advantage.

Art. 22. The exemption from Tenths was to expire with the year 1678, without any exception, save those who brought their lands under cultivation before 1658, in whose favor the privilege should not continue longer than 20 years, and consequently expire as much sooner than the year 1678 as they shall have cleared their lands, before the year 1658. The exemption from Poundage, Horn and Salt money was to cease in 1668, when local taxes were to be imposed according to the situation of the lands.

Arts. 23, 24. The Colonists who will have paid to this City their board and passage money, and discharged their other debts, shall be at liberty to bring into such harbors and kingdoms as they consider shall be for their greatest advantage, their wares, products or merchandise raised in the Colonie, except Beavers and other Paltries; also, all other Wares and Goods, under whatever name, which they shall destine for *Netherland*, the *East* or the *North*, to this City, to pay the public and Company's duty thereon, and generally to conduct themselves precisely agreeably to the regulation granted by the Company to the Inhabitants of *New Netherland*. *N. Y. Col. Doc. II. 57, 60, 175. TR.*

tomary roadstead, in front of the City, between its gates and walls, on the penalty of 25 guilders for the first offense and 50 guilders for second offense. Penalty.

Thus done in Our Council holden in *Fort Amsterdam*, in *New Netherland*, the 24 August, 1656.

ORDINANCE

Of the Director General and Council of New Netherland regulating the Fees payable at the Custom-house and Public Store, New Amsterdam. *Passed 6 September, 1656.*

[N. Y. Col. MSS. VIII. 163; XVI. 82.]

WHEREAS the Director General and Council of *New Netherland* are credibly informed, and told of general complaints respecting certain exactions affecting Commerce, which have been perpetrated hitherto, without their knowledgo, in the matter of dispatching of Goods, and Laborers' wages, against which being desirous to provide, pursuant to the Order and instructions of the Hon^{ble} Directors;* Therefore the Director General and Council aforesaid do hereby Ordain that there shall henceforth be paid for a Bill of Lading Preamble

Fee for a
Bill of
Lading.

Of one to six hogsheads of Tobacco,	12 stivers.
Of 7 to 12 hogsheads,	18 stivers.
Of 13 to 24 hogsheads,	24 stivers.
Of 25 to as many as shall be shipped, . . .	50 stivers.
Of one to one hundred Beavers,	12 stivers.
Of 100 to 200 Beavers,	18 stivers.
Of 200 to as many as are shipped in one case,	30 stivers.
Of one or more cases shipped by one mer- chant,	50 stivers.
For a fee for one passport to Fatherland, either for one family or an individual, . . .	20 stivers.
And for the Church,	40 stivers.

* Dated 14 June, 1656. N. Y. Col. MSS. XII. 39.

Skippers
to deliver
Goods on
the Pier or
shore at
high water
mark,
near the
Company's
store.

In regard to the wages of the Porters, for goods and merchandise to be brought from the ships into the Company's store, the Director General and Council aforesaid do Ordain that the Skippers shall henceforth be bound to deliver the goods and merchandise on the Pier or shore, at high water mark, in front of or near the Company's store, whence the sworn Porters shall bring them into the Company's store and receive for pay,

Fees of
government
Porters
for carry-
ing Goods
to the Com-
pany's store.

For one pipe of Wine,	6 stivers.
For one hogshead,	5 stivers.
For one aume of Wine or tun of Beer, ...	4 stivers.
For one-half aume,	3 stivers.
For one anker,	2 stivers.
For one case of Duffels, or any other of that size,	8 stivers.
For an Eastern chest or large trunk,	8 stivers.
For a case of axes, cask of nails or kettles,	5 stivers.

Other and smaller packages in proportion, at the discretion of the Fiscal or the person who, in his place, shall as Commissary have charge of the Public store.

Merchants
may agree
with the
Porters, or

The Goods and Merchandise being delivered into the Store at the above rates, the Merchants may, according to the ferriage and distance of the places to which the goods must be conveyed, agree with the Porters on the best terms they can, and in case of unreasonableness, according to the decision of the Fiscal or whomsoever shall in his place in future have charge, as Commissary, of the store: Provided that no one is prevented to have his own goods removed from the Store by his own men or servants, with the consent and order as aforesaid.

Employ
their own
men to
remove
their goods
from the
Public store.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, the 6 September, A° 1656.

ORDINANCE

Of the Director General and Council of New Netherland establishing
a Weekly Market at New Amsterdam. *Passed 13 September, 1656.*

[N. Y. Col. MSS. VIII. 182; XVI. 84.]

THE Director General and Council of *New Netherland*,

To all those who shall see these presents or hear them read, Greeting, make known.

WHEREAS divers articles, such as Beef, Pork, Butter, Cheese, Turnips, Carrots, Cabbage and other Country produce are brought to this City, now and again by Farmers to be sold here, with which being come hither, they are obliged to remain a long time at the Beach with their produce, frequently to their serious loss, because the Commonalty, or at least a majority thereof, who live at a distance from the Beach, are not aware that such articles are brought for sale, which tends not only to the inconvenience of the Burgher, but also to the serious damage of the industrious Farmer, who oftentimes loses more by his absence from home than he has gained on his produce. Wishing to remedy this, the Director General and Council aforesaid, do hereby Ordain that from this time forward, a Market shall be held here in this City, on every Saturday, on the Beach by or near the house of Mr. *Hans Kiersteede*,* according to which every one who hath any thing to buy or to sell shall have to regulate himself.

Preamble.

Weekly Market to be held every Saturday in New Amsterdam on the Beach near the house of Hans Kiersteede.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, the 13 September, A° 1656.

* Between what are now Whitehall and Moore Streets, New York. See Col. De Voe's *Market Book*, p. 35.

ORDINANCE

Of the Director General and Council of New Netherland, for the regulation of the Director General's Company. *Passed 20 September, 1656.*

[N. Y. Col. MSS. VIII. 194; XVI. 85.]

Preamble.

THE Director General, *Petrus Stuyvesant*, captain of his Company, observing that the last issued order, dated 7 October, 1655, regarding the appearance before the colors at beat of drum, and the posting of and remaining on guard, is not attended to and obeyed by the superior and inferior Officers as it ought to be, and as is the custom in all garrisons, therefore notifies and commands all officers and soldiers of his Company :

1.

Soldiers to appear at drum beat fully armed on parade.

That every person shall, on roll of the drum, prepare to make his appearance fully armed before the colors, and if any one shall be found absent on the third beat of the drum, he shall forfeit for the first time, if a Sergeant six guilders ; a Corporal, or Lance corporal, four guilders ; a Cadet or Private soldier three guilders, and for being absent a second time he shall suffer arbitrary corporal punishment.

Penalty.

2.

No one to move out of the ranks, or fire his gun, without order.

Having appeared and been placed in ranks at drum beat, as in duty bound, no one, when standing or marching, shall run or remove out of his ranks or files, or while standing or marching, discharge his gun without the special order of the Captain, Lieutenant or Commander of the troop, on pain of forfeiting one month's pay.

Penalty.

3.

Those detailed for guard to appear fully armed at drum beat and not

Those who have to mount guard, shall as in duty bound, appear in their proper persons at the roll of the drum fully armed, parade, and continue and remain on guard without being at liberty to send or put

another in their stead, unless with the knowledge and consent of the Director General, the Captain, Lieutenant or whomsoever may fill the place in his absence, on the penalty of half a month's wages for the first time, twice so much for the second time, and for the third time an arbitrary corporal punishment. In order that this may be the better understood and obeyed, the Sergeant of the guard shall not be at liberty to go out of the Fort, or from the guard except with the previous knowledge and consent of the Director General, Captain, Lieutenant, or Ensign, the Corporal, Lance corporal or cadet, except with the consent of the Sergeant, and no Private soldiers except with the consent of the Sergeant, or in his absence, of the Corporal, and then only in a small number 2 @ 3 at the most at one time, on the penalty above mentioned.

absent
themselves
without
leave.

Penalty.

Sergeant,
Corporal or
Soldiers on
guard not to
go out of the
Fort with-
out permis-
sion.

4.

No man shall come drunk on guard, or when on guard shall indulge in drinking, on penalty of one Dollar or as much more as another shall earn, who is commanded and brought in his place to the guard by the Captain, Lieutenant or Sergeant.

No one to
come drunk
or to drink,
on guard,

Penalty.

5.

When on parade, they shall make their appearance with their hand and side arms, and the rests for their muskets, the muskets properly loaded, as in duty bound.

Soldiers to
parade
armed with
loaded
muskets.

6.

Experience proving, that whenever some Soldiers are suddenly and unexpectedly commanded on duty, they then complain, and it is also often found, that they have neither Powder nor Ball, therefore every one is hereby notified and ordered most expressly, henceforth not to discharge his musket either within or without the Fort, except by consent of the Lieutenant, Ensign or in their absence, of a Sergeant,

Soldiers
not to dis-
charge their
muskets
within or
outside the
Fort with-
out orders.

Penalty.

Muskets to be loaded and discharged once a week by the river side outside the Fort.

who is hereby ordered and commanded to pay strict attention thereto, on pain of forfeiting six stivers for each shot fired without the previous knowledge and cognizance of the aforesaid Officers ; but said officers are ordered (unless in case of necessity occasioned by wetness, or by the foulness of the firearm), to have the musket, properly loaded with powder and ball, discharged once a week and not oftener, and that outside the Fort, by the river side, in order to prevent accidents.

7.

Bandealers of Soldiers on guard to be examined every evening.

Penalty for being deficient in ammunition.

In order the better to prevent the waste of powder and ball, the superior and inferior Officers, particularly the Sergeants, are ordered every evening, when going on parade, to examine the Bandeleers of those placed on guard, and if any man be found not to have in his Bandeleer 6 @ 8 full measures of powder and ball, he shall forfeit 12 stivers and show where the powder is left, and make payment for it.

8.

Sergeant of the guard to drill his men every morning.

Fines, how to be applied.

The Sergeant who hath made the parade and hath charge of the guard, shall, every morning, when the weather is dry and suitable, exercise the Soldiers on guard with him in a proper manner, at least during one hour or for half an hour.

The fines shall be applied, one-third to the Officer or person making the complaint, two-thirds to the benefit of the Officers and private soldiers belonging to the Company.

Thus done in *Fort Amsterdam*, in *New Netherland*, the 20 September, A° 1656.

ORDINANCE

the Director General and Council of New Netherland regulating the rate at which Beaver is to be received in payment of Duties. Passed 27 September, 1656.

[N. Y. Col. MSS. VIII. 219; XVI. 89.]

WHEREAS, for a long time past, the payment of the Export Duty, both on Peltries and Tobacco, has been very bad, and such that when the Hon^{ble} Company's Receiver wishes to make purchases for the Company, with the same Beavers which some merchants are in the habit of paying to the Company, the pay is refused by others, yea, by the very same persons from whom those Beavers have been received, to the serious loss and damage both of the Company and of its Servants in this country, because some merchants in packing, lay aside the poorest and worst Beavers for the Company, or else, in case the Company or its Servants have need of any Supplies, these are charged to them in ordinary settlement fifty per cent or more than they can be obtained by others with good prepared Beaver, whereby the Company's treasury in general is greatly wronged, and its Servants seriously injured. The Director General and Council wishing to provide as much as possible for this evil, have resolved hereby to order and command their Fiscal and the provisional Receiver, not to receive for the Export duty any other pay than good, whole, merchantable Beaver; in no case, any Summer skins or *drielings*, which are generally rejected and refused by the Merchants themselves; and those at Eight guilders the Beaver for exported merchandise.

In regard to the remitted 4 per cent, which must be paid in Silver coin in Fatherland, the Receiver is ordered to receive it in Silver coin, at the rate it is current in our Fatherland, or in good Beavers, the

Preamble.

Good, merchantable Beaver only, to be received in payment of Duties, at the rate of 8 guilders per Beaver.

Duty of 4 per cent to be paid in Silver or in good Beaver at 6 guilders

Or in goods
at 50 per cent
advance on
the Duty.

Beaver reckoned no higher than six guilders, or in goods, in case the Company have need of them, at 50 per cent advance on the duty, as the Company is in the habit of vending these to its Servants; and in case there be an odd amount, and that the sum is more or less than one Beaver, the payer shall be allowed to pay what is less than half a Beaver in silver coin, or whole well strung Wampum, according to its value here; for what exceeds half a Beaver, one whole Beaver shall be paid to the Receiver, provided he return to the payer the overplus in like coin or Wampum.

Fractions,
how to be
paid.

Half
Beavers or
small pieces
to be
received
according
to their
Weight.

In order to prevent further disputes about half Beavers or small pieces, the Director General and Council order that those which are now given usually for half Beavers, and create many difficulties, and all other pieces that cannot pass for good whole Beavers, shall not be entered or even received by the piece, but by weight, the pound calculated at — guilders.

Done at the Council holden in *Fort Amsterdam*, in *New Netherland*, the 27 September, A° 1656.

ORDINANCE

Of the Vice-director General and Commissaries of Fort Orange for
the sweeping of Chimneys. *Passed 24 October, 1656.*

[N. Y. Col. MSS. XVI. part II. 16.]

WHEREAS daily experience teaches us, that in consequence of the foul and unswept condition of the Chimneys, they often take fire, and generally the houses also; yea, frequently, the neighboring Buildings when covered with easily ignitable materials, whereby great damage is done not only to houses and goods, but—sad spectacle!—to people also; Therefore, the Vice-Director and Commissaries of this Court, in consideration of their office and duty, wishing to provide according to their ability against such accidents, do hereby Order all Burghers and Inhabitants of *Fort Orange* and the Village of *Beverwyck*, and each one in particular, to keep the Chimneys of their respective houses clean and out of danger of fire, under the penalty of One pound Flemish for every Chimney which shall be found dirty and so declared 15 days after the publication hereof.

Preamble.

Chimneys
in Fort
Orange and
Beverwyck
to be kept
clean.

Penalty.

Done in *Fort Orange*, the 24 October, A° 1656.

(Signed,) *La Montagne, Rutger Jacobsen, Anderies Herbertsen.*

ORDINANCE

Of the Director General and Council of New Netherland renewing and amending the Ordinances for the due observance of the Sabbath; against furnishing Liquor to Indians, or exporting Liquors without a permit, and for establishing an Assize of Bread and regulating the trade of Baking. *Passed 26 October, 1656.*

[N. Y. Col. MSS. VIII. 248; XVI. 91.]

THE Director General and Council of *New Netherland*,

To all those who hear or see these Presents read, Greeting, make known.

Preamble.

That it is found by daily and sad experience, that the previously issued and frequently renewed Ordinances and Edicts against the desecration of the Lord's Sabbath; the unseasonable Tapping on that day and at night after the posting of the guard or the ringing of the bell; the very dangerous, yea damnable, sale or bestowal of Wine, Beer, and distilled Liquors*; and the baking and sale, as well of coarse as of small or white Bread, are, to the dishonor of God, to the serious damage, loss and disturbance of the peace and quiet of the Inhabitants, and to the gross contempt of the authority and quality of the Superior and Inferior Magistrates of this Province, neither regarded, observed, maintained nor even enforced according to the good meaning of the Director General and Council, and as necessity clearly requires; Therefore, the Director and Council aforesaid, wishing, in virtue of their office, and prompted by duty and necessity, to provide herein, do renew and enlarge their previously enacted Ordinances and Edicts, and hereby interdict and forbid,

Ordinary
labor on the
Sabbath,
prohibited

First, all persons from performing or doing on the Lord's day of rest, by us called Sunday, any ordinary labor, such as Ploughing, Sowing, Mowing, Building,

*i. e., to Indians. TR.

Woodsawing, Smithing, Bleaching, Hunting, Fishing, or any other work which may be lawful on other days, on pain of forfeiting One pound Flemish for each person; much less any lower or unlawful exercise and Amusement, Drunkenness, frequenting Taverns or Tippling houses, Dancing, playing Ball, Cards, Tricktrack, Tennis, Cricket or Ninepins, going on pleasure parties in a Boat, Car or Wagon before, between or during Divine Service, on pain of a double fine; especially, all Tavern keepers, or Tapsters from entertaining any Clubs or tapping, bestowing, giving or selling directly or indirectly any Brandy, Wine, Beer, or Strong Liquor to any person before, between or during the Sermons, under a fine of six guilders, to be forfeited by the Tavern-keeper or Tapster for each person, and three guilders by every person found drinking at the time aforesaid.

In like manner, Tavern keepers or Tapsters shall not accommodate or entertain any company, or tap, sell or give any Wine, Beer, distilled Liquors or waters to any person at night, on Sundays or on other days, after the posting of the guard or ringing of the bell, on the same penalty; the domestic guest, persons appointed on public business with the consent and by order of the Magistrates, alone excepted.

Secondly, with regard to the very dangerous, injurious and damnable sale, bestowal and giving of Wine, Beer or distilled Liquors to the Indians or Natives of this Country, from which almost as many mischiefs proceed, or at least are threatened and apprehended, as there are drunken Savages, the Director General and Council aforesaid, renewing and enlarging their previously published Edicts, do hereby Order and command, that no person, of what quality or profession he may be, shall sell, trade to, bestow, give, furnish or carry or allow to be carried, to or for any Indians, in or out of the house, by land

Penalty.

Amusements, Drunkenness, Playing at Cards, Cricket, Ninepins, &c., Pleasure parties, and

Selling Liquor on Sundays, before, between or during Divine Service, forbidden.

Penalty.

Tavern keepers not to entertain Clubs or sell Liquor at night, after the posting of the guard or ringing of the Bell,

Except to domestic guests, or persons on public business.

Laws against selling Liquor to Indians, renewed.

No Liquor to be sold or given to Indians under a

Penalty of 500 guilders and corporal punishment and banishment from the Province.

or water, from Yachts, Barks, Boats, or Canoes, Carts or Wagons, by what name soever such vehicles may be called, either directly or indirectly, any Beer, Wine, distilled Spirits or Liquors, under a penalty of Five hundred guilders, and in addition to be arbitrarily punished on the body, and banished from the country. And in order that the same may be discovered, for the better promotion and maintenance of the public peace and quiet, between the good Inhabitants of this Province and the Barbarians, all superior and inferior officers, free or hired servants of the company, and Inhabitants of this Province are, by their office and fealty, exhorted, required and commanded to aid in preventing, discovering and giving information of such most dangerous and damnable sale or bestowal of Wine, Beer, or distilled Spirits, or, failing therein, to pay half the fine in case it afterward appear, or become known, that they were privy to, or had not informed of, such sale, gift or present of Wine, Beer, or distilled Spirits to any Indians.

Persons privy to such Sales and not informing against those who violate this law, to pay half the fine.

Peddling Liquor along Rivers prohibited

Further, the said Director General and Council, being credibly informed and told, that Wine, Beer and distilled Liquors, are peddled and retailed up and along the Rivers, from up-going and returning Yachts, Barks, Boats, Ships and Canoes, do hereby not only interdict and forbid such peddling and retailing, but Ordain, enact and command that no Skippers, Sloop owners, Canoemen or Boatmen, or any other free or bound Inhabitants, of what name, nation, quality or business they may be, shall from this time forth, either for themselves or for others, embark, load, take with them, in any Bark, Yacht, Boat, Canoe, or any other vessel, any Wine, Beer, distilled Liquors or Spirits in large or small casks, or even in Cans, Jugs or Demijohns, without having first entered the correct quantity with the

Masters of Vessels, &c. to enter and take out a permit for Liquors which they receive on board.

Officer of the place where the Wine, Beer or distilled Spirits, in large or small quantities, are embarked, shipped or loaded, and received from the Officer a certificate or permit, on which shall appear the quantity and quality of casks and other measure of the Wine, Beer or distilled Liquors to be taken along, for whom shipped, and to whom consigned, and shall bring back a proper certificate or proof of the delivery to such person, signed by the Officer and the Receiver thereof at the place of delivery; and all that on pain of forfeiting the concealed Wine, Beer or distilled Liquors, and a fine of Five hundred guilders for the first time, and forfeiting in addition, for the second offense, the Bark, Yacht, Boat or Canoe.

Penalty.

Thirdly, in regard to the baking and selling of coarse and white Bread, neither of lawful weight nor at the fixed price, the Director General and Council renewing and enlarging the previously published Order on that subject, do hereby Ordain and command that all Bakers and all other Inhabitants who make a business of baking or selling Bread, whether for Christians or Barbarians, shall be obliged, as well for the accommodation of Christians as to derive profit thereby from Indians, to bake at least once or twice a week both coarse and white Bread, as well for Christians as Indians, of the stated weight and at the price, as follows :

Regulation
regarding
baking of
Bread.

Bakers to
bake once
or twice a
week.

The Coarse loaf shall weigh

The double, 8 lbs., and cost 14 stivers.

The single, 4 lbs., and cost 7 stivers.

The half, 2 lbs., and cost 3½ stivers.

Weight
and price
of coarse
Bread;

The White loaf shall weigh

The double, 2 lbs., and cost 8 stivers.

The single, 1 lb., and cost 4 stivers.

The half, ½ lb., and cost 2 stivers.

Of white
Bread.

Bread short of the prescribed weight or sold higher than the legal price to be forfeit, and the Baker fined.

All Bread found to be of a less weight or sold at a higher price, without the previous knowledge, order and consent of the Inferior Court, shall be forfeit, and there shall be paid in addition a fine of Twenty-five pounds Flemish for the first time; for the second time, double as much, and for the third time, Six hundred guilders, and the trade be absolutely prohibited [the offender].

Sifted Bran not to be mixed with Coarse Bread.

Further, no Bakers or persons who make a business of selling coarse or white Bread to Christians or Indians, shall be allowed to mix any sifted bran either wholly or in part with the coarse Bread, but bake the coarse Bread as the flour comes from the Mill; or to make any other sort of coarse or white Bread either for Indians or Christians, than is hereinbefore specified, on the penalty as aforesaid. The inspection thereof remains subject to the respective Courts, each within its jurisdiction, and those whom, as better judges of Bread, they shall adjoin to themselves.

Local Courts to have inspection of Bread.

Fourthly, the Director General and Council, being further informed, and duly considering, that frauds can creep in, both in the matter of tapping and baking, for the concealment whereof excuses may be set up and invented, because no Guild or association is hitherto known; to prevent such, as much as possible, the Director General and Council Ordain and command that, from this time forward, no person shall make any profession of Baking or Tapping, unless he first apply to the Court in the respective jurisdiction and receive from it, or its Agent, a License for that business, which all Tavern keepers and Bakers shall renew every quarter of a year commencing the first of November next, and pay for it each time One pound Flemish for the benefit of the respective Court, on pain of suspension of his business for notorious and obstinate neglect.

Bakers and Tappers to be licensed, quarterly.

Fee for License.

The Fines and Amercements above specified are to be applied one-third for the Officer who shall enter the complaint; one-third for the Church or the Poor; one-third for the public benefit.

Fines
under this
Act, how to
be applied.

In order that all this may be the better known, practiced and obeyed, and that no one pretend ignorance hereafter on this subject, the Director General and Council do hereby Ordain and command that these presents shall be published and posted everywhere that it is customary to have publication made, and that after publication they be observed and executed without any favor, affection, simulation or respect of persons, as we find such to be for the public service and for the better and greater peace of the good Inhabitants.

Thus done, renewed and enlarged in the Assembly of the Director General and Council of *New Netherland* the 26 October, 1656.

ORDINANCE

Of the Director General and Council of New Netherland further regulating the Excise in New Amsterdam. *Passed 25 November, 1656.*

[N. Y. Col. MSS. VIII. 281.]

It is, on the proposal of the Schout, Burgomasters and Schepens, advised and, until there be a larger number of the ordinary Councillors, also provisionally Ordained, that when the Schout, Burgomasters and Schepens rent out the Burgher Excise on Wine and Beer, with the approbation of the Director General and Council, agreeably to the Custom and Order of Fatherland, the Ordinances and Regulations on that subject enacted by the Supreme Government of our Fatherland* ought consequently be likewise put in practice and observed here as far as possible: Therefore we resolve and Ordain by form of Explanation.

Laws of
Holland
introduced
in regard to
the Excise
in New
Amsterdam.

*See Ordinance of the States, enacted in 1649. Article 34. TR.

1.

Brewers
to pay 20
Stivers on
each Brew-
ing.

That all persons in, or within the jurisdiction of, this City, who make a business of Brewing, shall, pursuant to the Ordinance, pay to the Farmer twenty stivers for each brewing, whether of strong or small Beer.

2.

Beer
not to be
removed
from the
Brewery
without a
permit from
the Farmer
of the
Excise.

In order to prevent frauds and Smuggling, we resolve and Ordain, that no Brewers shall remove any casks of Beer from the brewery, or lay them in their own, or in other people's Houses or Cellars, without first having given notice thereof to the Farmer, and received from the Farmer, or his Collector, a permit or license therefor, whereupon must appear the quantity of the Beer which the Brewer intends to remove on his or their account, for which permit six stivers shall be paid for the behoof of the Farmer, the Brewer remaining bound to submit to the gauging, and to the fine in case of fraud.

Fee for
permit.

3.

Brewers and
Retailers of
Beer to pay
8 Stivers a
month for
what Beer
each mem-
ber of the
family con-
sumes.

It is true that the general Ordinance discriminates between Brewers and wholesale Beer merchants, which distinction does not as yet exist here, because the Brewers themselves, delivering the Beer by the whole, half or quarter cask, are to be considered both as Brewers and wholesale Beer merchants; therefore it is resolved and provisionally Ordained, that the Brewers and retailers of Beer shall agree with the Farmer respecting their own consumption, or else pay to the Farmer or his Collector, pursuant to the Ordinance, eight stivers per month for the drink of each person over 12 years of age.

4.

Brewers
who have
refused to
allow gaug-

In regard to the demand against the Brewers, who thus far have refused to submit to the gauging, the claim of the Farmer is for the present, denied; pro-

vided, nevertheless, that the contumacious Brewer shall present to the Church a decent fine, and that the Farmer, after the publication and promulgation hereof, shall receive as an indemnity for his claim and to prevent further complaints, the legal Burgher excise, according to the lease, Twelve stivers each consecutive month.

ing to pay
a fine to the
Church; and

Hereafter
12 Stivers
per month
Excise.

5.

Whereas, by the terms of the lease, the Excise on Wine and Beer is imposed on all without distinction, as well the Company's servants as Freemen, in order to prevent further claims, it is declared and Ordained that the same shall continue in force, provided that the Farmer shall amicably agree with the servants of the Company; the Company, and what is laid in or sent away on its account, only excepted.

All per-
sons to pay
Excise, but

The Farmer
may com-
mute
with the
Company's
servants.

The Com-
pany not
liable to
Excise.

Thus advised and provisionally Ordained by the Hon^{ble} Director General, this 25 November, A° 1656, in *Amsterdam*, in *New Netherland*.

(Signed,)

P. STUYVESANT.

By order of the Director General of *New Netherland*, *Curacao*, &c.

(Signed,)

CORNELIS VAN RUYVEN, *Secretary*.

ORDINANCE

Of the Vice-director of Fort Casimir providing for the Fencing of Lands there. *Passed 27 November, 1656.*

[N. Y. Col. MSS. XVIII. 23.]

Preamble. WHEREAS heretofore many and repeated complaints have been made of the damage done to the Lands lying near *Fort Casimir*, which is caused principally by the want of good Fences with which the Plantations and lots are not sufficiently provided; also, that some Plantations and lots are lying open, the proprietors whereof are non-residents, and such cannot be inclosed, likewise others have taken up more land than they can cultivate; and, Whereas, this being seen, still worse is to be apprehended if provision be not made in the premises: Therefore the Hon^{ble} Vice-Director *Jaquet* wishing to provide therefor, in order to prevent further complaints, hath Ordained as he doth hereby Ordain, that all and every who have any Plantations or Lots shall be notified to protect the same within the time of the three next months, being the last of February, with a good substantial Fence, and whosoever is found negligent, after the expiration of the time aforesaid, shall forfeit the sum of fl.10, for the first time, and if, notwithstanding, he remain in default for the space of seven days after date, he shall forfeit the sum of Twenty guilders, and, after the lapse of seven days more, still remaining in default, he, being considered of an obstinate disposition, shall be deprived forever of his lands, which shall be at the disposal of the Hon^{ble} Company, to distribute to others. And this Ordinance shall be strictly obeyed and executed, so that complaints may [cease] and every one pursue his occupation without let or hinderance, to which end the public Overseers thereunto elected are expressly

Plantations and Lots on the South river to be fenced within three months.

Penalty.

Overseers to enforce this Law.

commanded to pay particular attention to the same, on the penalty of a double fine if they be neglectful, as this is found to be for the public good.

Penalty
for neglect
of duty.

Thus done and enacted in *Fort Casimir*, on the South river of *New Netherland*, this 27 November of this year, 1656.

ORDINANCE

Of the Vice-director of Fort Casimir for the Inspection of Tobacco at the South river. *Passed 12-December, 1656.*

[N. Y. Col. MSS. XVIII. 23.]

WHEREAS it is seen that this River is, on account of its Tobacco, about to become in good repute, and People are encouraged to settle down here, if good care were taken that the Tobacco be packed in as sound a condition as possible, and all fraud which might be therein used, as much as possible prevented; And whereas this cannot be effected unless attention be paid thereto, and it be first inspected before it be sent off or exported; And whereas fit and faithful persons are required for that purpose: Therefore the Hon^{ble} Vice-Director *Jaquet*, upon previous nomination by the Commonalty, hath authorized and qualified the persons of *Moenes Andriess* and *William Mouritz*, whose duty it shall be to inspect all Tobacco before it will be delivered or exported, and certify for whom it is inspected, and who hath delivered it; and if it happen, as probably it will, that some will not submit to the Inspection aforesaid, as they consider themselves sufficiently competent for that purpose, and such conduct cannot have any other effect than greatly to prejudice good order; Therefore, the Hon^{ble} Vice-Director *Jaquet*, being desirous to prevent all disorder, and following, in this regard, the good Ordinance enacted at the *Manahatis*, doth hereby Ordain,

Preamble.

Inspectors
of Tobacco
on the
South river
appointed.

Tobacco
not to be
received
or exported
unless
inspected

Fee for
inspection.

Penalty.

order and command all Inhabitants residing on the River here, that they from this time forth, shall not attempt to deliver, or receive, much less to export, any Tobacco, unless they previously obtain a certificate of the sworn Inspectors; ten stivers for each hundred lbs. of inspected Tobacco, to be paid six stivers by the receiver, and four stivers by the deliverer; and all this on the penalty of Fifty guilders for the first time, and in proportion for the second and third time, and the Informer shall receive Twenty guilders, and his name shall be concealed. Every one hath to regulate himself accordingly.

Thus done and enacted at *Fort Casimir*, in the South River of *New Netherland*, this 12 December.

ORDINANCE .

Of the Director General and Council of New Netherland enlarging the jurisdiction of the Court of New Amsterdam. *Passed 21 December, 1656.*

[N. Y. Col. MSS. VIII. 300.]

Charter
of *New
Amsterdam*
enlarged.

City Court
to pass
sentence of
Branding
and Whipping
in certain
cases.

Right of
Appeal
reserved.

City Court
to execute
sentence if
confirmed.

THE Director General and Council of *New Netherland*, in amplification of the Instruction given and granted to the Schout, Burgomasters and Schepens of the City of *Amsterdam* in *New Netherland*, do permit and authorize the aforesaid Court to pass sentence, to the extent of Branding and Whipping inclusive, in all cases of Misdemeanor and Criminal offenses of a minor character, and execute the same, unless the person condemned appeal therefrom, which he shall be bound to do within the space of four and twenty hours after the sentence is pronounced, and, in case, after the revision of the proceedings, the sentence pronounced by the Court aforesaid is confirmed by the Director General and Council, or any alteration made therein, the same shall be put in execution

on the prisoner by the Schout, Burgomasters and Schepens.

Thus done and enlarged in the Assembly of the Director General and Council, holden in *Fort Amsterdam* in *New Netherland*, the 21 December, 1656.

ARTICLES AND ORDINANCES

Revised and enacted by the Right Honorable the Lords Burgomasters of the City of Amsterdam, according to which, shall be engaged and sworn all those who shall hereafter enter the service of the Lords Burgomasters of the City of Amsterdam, for the purpose of going with their own, or chartered ships to New Netherland and the limits of the West India Company's Grant, pursuant to the Agreement entered into with it, and approved of by the High and Mighty Lords States General of the United Netherlands. Also those who shall happen to transport themselves thither as Colonists and other Free persons. All which, the above mentioned Lords States General and the Lords Burgomasters of the aforesaid City, ordain and command shall be obeyed, maintained, respected during the aforesaid journey both by water and on land, by all and every of the crew of the Ships which are equipped, sent, and fitted out to New Netherland, and generally by all those who shall repair to the Country aforesaid as Servants or as Colonists, and other Free persons as aforesaid. *Passed December* , 1656.

[N. Y. Col. MSS. XVIII. 24.]

FIRST TITLE.

Of the Magistrates, their authority, and what obedience every one owes.

1st. All ships' Officers and Seamen shall be bound to be faithful to, and in all things to obey the orders of, their Skippers; the soldiers of their Captains or other officers that shall be set over them, either on water or on land, without in any manner being refractory.

Seamen to
obey their
Skippers,
and

Soldiers
their
Captains.

innocent of said conspiracy, he shall be rewarded with fifty Thalers, and moreover be advanced and promoted to the first vacant office for which he is fit. In like manner shall such reward and advancement be conferred on whomsoever shall discover and make known, any premeditated treachery or conspiracy in any place in *New Netherland*.

SECOND TITLE.

Of Religion, Clergymen, and Consolers of the Sick.

No person shall take the name of the Lord in vain, whether by cursing, swearing, or blaspheming, in jest or otherwise, upon the penalty of ten stivers, and arbitrary correction, according to the degree of profanity and blasphemy which shall be uttered and expressed.

*In New
Netherland.*

Penalty
for cursing
or blas-
pheming.

Also shall no man presume to rebuke, to contemptuously treat, disturb, or in any wise obstruct the Minister or exhorter of God's Holy Word, in the performance of his office or calling.

The
Minister
not to be
treated with
disrespect,
or hindered
in the per-
formance
of his duty.

Further, whenever, early in the morning or after supper in the evening, prayers shall be said, or God's word read, by anyone thereunto commissioned, every person, of what quality soever he may be, shall repair to hear it with becoming reverence.

All persons
to attend
morning
and evening
prayers.

No man shall raise or bring forward any question or argument on the subject of religion, on pain of being placed on bread and water three days in the ship's galley. And if any difficulties should arise out of the said disputes, the author thereof shall be arbitrarily punished.

Religious
subjects not
to be dis-
cussed.

Penalty.

THIRD TITLE.

Order to be observed in divers matters on board the ships; also, of the Monthly wages and such like subjects.

Skippers, Captain, commissary and other officers shall not be at liberty to receive any persons, such as

No per-
sons to be
received
on board

except such
as are pro-
vided with
passports.

Colonists and other free people, in their ship or ships, to convey them over to *New Netherland*, except only those who will exhibit our passports, furnished to them for that purpose by the commissaries or directors, on pain of forfeiting Fifty florins for every person whom they may convey over without such consent.

Penalty.

No person
to be
brought
from *New
Netherland*,
except by
permission.

In like manner Skippers, Captains, commissaries and other officers shall not be at liberty to bring hither any one bound to service, or free colonists and other persons, from *New Netherland*, except with especial consent of the Director there, on pain of forfeiting Six hundred florins for each person.

Penalty.

Journals
to be kept
of the out-
ward and
homeward
bound
Voyages.

All Skippers, Commissaries, and Pilots, shall be bound to keep a journal and daily register of all occurrences on the outward and homeward voyages, and the same deliver over to the Burgomasters or their commissaries, appointed over the Colony in *New Netherland*, on pain of three months' wages to be forfeited by those who refuse or fail to comply herewith.

Penalty.

Officers,
Soldiers and
Sailors to
repair on
board the
Ships at
drum beat.

All Naval and Military Officers, Soldiers and Sailors shall be bound, and do hereby promise, to repair, at beat of drum, at such time and hour as may be appointed, on board the Ships or Lighters, on pain of forfeiting one month's wages, without any contradiction or evasion.

Penalty.

Not
to enter
Foreign
ports except
in case of
necessity.

They must not run with their ships, on the return voyage, into France, England, or any other foreign places, except by most urgent necessity, •whereof the ship's Council shall be bound to decide and justify under bond of their persons and monthly wages.

Term of
service of
those going
to *New
Netherland*
in the
employ of
the City of
Amsterdam.

All persons going to *New Netherland* in the service of the City aforesaid, shall be bound to remain there and to serve by water and by land, for the term of four years, exclusive of the time spent in going and returning, or as much longer or shorter as the City

shall have need of them, and this Voyage may require.

But the City shall not be obliged to allow those who have bound themselves for a certain number of years, to remain their bounden time in *New Netherland*, and to continue in their service, but as the Director, Commissary and Council shall have power to send them home, so may the Lords Burgomasters or their Commissioners, at all times at their pleasure, recall them home without being bound to give any reasons for so doing to any person.

They may be sent back, at the discretion of the City's Officers, before their term expires.

And all those who conceal themselves in the homeward-bound ships and come over without the consent of the authorities at the place where they are lying at anchor, and desert the places, ships and garrisons intrusted to them, whether their bounden time has expired or not, shall forfeit, for the behoof of the City, all their earned monthly pay and booty.

Those who return home without leave to forfeit their wages and booty.

Whosoever runs off to the French, English or any other Christian or Indian neighbors by whatsoever name they may be called, shall, in addition to the forfeiture of all his monthly pay to the City, be banished forever from *New Netherland* as a perjured villain, and, if he afterward come to fall into the hands of the City, he shall, without any consideration, be punished by death or otherwise according to the exigency of the case.

Runaways to other Colonies, or to Indians, to forfeit their pay and to be banished from *New Netherland* and if retaken to suffer Death.

Any body having received two months' wages, or any bounty money, and runs away with it, shall be corporally or arbitrarily punished and refund double the amount.

Penalty for running away after receiving wages or bounty.

Item.—If any one during his term of service shall so behave himself that his pay is confiscated in whole or in part, the same shall remain by the law of retention to the behoof of the City, to be forfeited in all appearances the same as if it had not been earned, so long as he shall not have faithfully served out to

Forfeitures to accrue to the benefit of the City of *Amsterdam*.

the end his bounden time, unless otherwise provided by our special order.

FOURTH ARTICLE.

Of the time the Monthly wages commence and fall due, and of Hypothecating.

Time when wages commence and terminate.

The monthly pay agreed upon shall commence and be reckoned when the last ton for the prosecution of the voyage shall be carried on board, and terminate when the engaged persons shall be discharged by the Commissioners, or Directors, or those authorized thereto by them, without any person being able, before the date of the discharge, to leave the service, to abandon the ship, or commit any insolence, force or violence, by word or act, either at the *Text*, or under way in the homeward voyage, on the penalty of two months' wages.

Penalty for Insolence, &c.

Wages to be a Lien on the Ship and Cargo,

And in order that those who sail in their own or in any of the City's chartered ships may take the better care, offensively and defensively, to assist in preserving them from all dangers of the sea, fire, and other casualties, so shall every one, as security for his monthly wages, have in pledge the ship, the ready money, and loaded cargo which she has on board, and nothing else, so that every one shall run the risk of his monthly wages on said ship, yacht and cargo therein, and consequently, if the said ship and all its cargo on board happen to be lost, then he shall lose all the monthly wages earned on board said ship, provided the same do not exceed in amount twelve months, so that the time which they have been in the service of the City beyond the twelve months shall be paid in all cases without deduction of Assurance, and further for the rest they shall have no right or action, except on the proceeds of the wrecked ship and cargo, which have come into the hands of the Commissioners or Directors, over and above the

Unless in case of Wreck, provided they do not exceed 12 months' pay.

Proceeds of the Wreck, after payment of Salvage and other expenses to be applied to paying Wages.

Salvage and other necessary expenses, without nevertheless having any claim on the goods or money discharged before the date of the wreck.

. And payment of the monthly wages shall be made in this country to every one, either on his return, or after the expiration of the first term for which he was engaged, on his order, to his wife, children or friends, on their exhibiting sufficient authority or procuration; also, of the wages which anyone has earned in the outward voyage, on the return of the ship wherein he went out, provided that the written authority, petition or power of attorney, or an account or other proper and sufficient voucher, is transmitted, showing, by balance, what monthly pay is coming to him from the time he was first engaged or on his outward voyage; but no person shall be at liberty to demand any account during the time he is engaged, neither shall it be furnished him, nor shall he be paid, except here or in that country.

Wages payable on order to the Wife or relatives of the person to whom due.

Conditions.

And in case anyone come to die before the expiration of his time of service, his monthly wages shall be paid to his widow, children, or heirs, as soon as the accounts and other satisfactory vouchers shall be received under good and sufficient bond against all further claims.

Widow or heirs of a deceased person, entitled to his wages on giving a Warranty bond.

All persons shall be obliged to be satisfied with the payment of the wages which the Lords Burgomasters or their Commissioners or Directors shall have made once and in good faith, on the declaration at least of two witnesses that these who come to claim the wages are the next heirs of the deceased, and on their pledge to return back the moneys at all times when demanded.

Witnesses required to prove heirs who shall give an indemnity bond.

And whenever in time of alarm, the trumpet is sounded or the drum beaten, every one shall, on pain of corporal punishment, immediately appear with all diligence forthwith to take his position for defense,

All persons to appear at quarters at beat of drum.

and thus inflict in due order all damage and offer every resistance possible to the enemy;

Provision
for the
Wounded.

Under express promise that the wounded shall be properly taken care of by means of good Surgeons; and if any persons in the employment of the City, and in the execution of their command, office, or service, happen to be maimed, lamed, or otherwise be deprived of their health, they shall be remunerated as follows, To wit:

For the
Maimed,
and

For the loss of the right arm,	fl.333
For the loss of the left arm,	266
For the loss of a leg,	240
For the loss of both legs,	533
For the loss of one eye,	240
For both eyes,	1066
For the left hand,	240
For the right hand,	266
For both hands,	933

Invalids.

For the loss of all other members and lameness, whereof any person being fully cured and healed, yet may not be restored to his former health, or may be maimed or thereby disabled from the use which he previously had of his limbs, he shall therefor be proportionally indemnified at the discretion of the Comissioners or Directors, according to previous inspection of the Doctors, Surgeons, or other competent judges. *Provided*, always, that he show and produce a certificate from his superior officer, who, at the time of his being wounded and maimed had the command, and of the entire ship's Council, that he had received the wound in the execution of his office and employment in the service of the City.

Wages to
be paid in
case the
Ship be lost
in a fight,
but to be
forfeit, if
ship be
captured.

Officers, Matrosses, and Soldiers, shall save their monthly pay in case they lose their ship, or she be sunk or burned in an offensive or defensive fight with the enemy; but if the enemy overpower the

ship or ships, they shall lose their monthly wages, as in Article 4.

And, in order that the Military persons and other the City's servants, on becoming free yonder, or having served out their time in *New Netherland*, may be able to employ their earned monthly wages, the Book-keeper here shall send over to the persons their accounts, with the charges against them here, in order that payment may be made in *New Netherland*, into the hands of the owners after the expiration of their time, or on obtaining their discharge from the service of the City.

Persons discharged from service to be paid at their option in *New Netherland*.

FIFTH TITLE.

Of the Allowance to those who are placed in Higher Offices.

Whosoever is placed in a higher office or position anywhere on land or on board any ships inland in *New Netherland*, shall receive, as an allowance, the half of his own, and of such person's pay to whose office and place he succeeds, until such person's first bounden time shall have expired, notwithstanding that he previously might have filled a higher position, and thus, by halving, the first pay is already diminished; after that, he shall receive the full pay of his immediate predecessor, provided that this shall not apply to Military officers and soldiers succeeding to higher offices, who shall receive the pay of those to whose places they succeed; with this understanding, nevertheless, that neither they nor any person on ship board filling two offices shall receive the full pay of both offices.

Pay of promoted Officers how to be arranged.

Rule not to apply to Military officers or soldiers.

No person to draw pay for two offices,

No one of the City's servants, from the highest to the lowest, shall, during his engagement, be at liberty to demand, promise or to be promised, either directly or indirectly, except from the Lords Burgomasters or their Commissioners or Directors assembled as a

Or to receive any other pay or allowance,

Except what he is promised.

Claims
for extra
services
not to be
allowed.

Board, any other pay, conditions or allowance than he is engaged at, on pain of nullity. And, in case any of those servants, directly or indirectly, happen on the outward or homeward voyage to earn, demand and claim any other wages or allowance than what was promised and allowed him on his engagement here by the Lords Burgomasters or their Commissioners or Directors, and the allowance hereinbefore set forth, he shall not have or pretend any right or action therein against the City, although the person may make such claim for some extraordinary services done the City.

SIXTH TITLE.

Of the Private trade of those who sail in the service.

No person
to take with
him guns or
munitions
of War to
trade with
Indians.

No person, of what rank soever he may be, shall be at liberty to carry with him any Munitions of War, such as Powder, Guns and other Arms, to sell or barter them in *New Netherland* to the Natives or Indians, on pain of forfeiting all the wages he has earned or shall earn, and, in addition, quadruple the value of what he may have bartered, and, therefore, shall every one have to submit to due examination and inspection of his Chest and Goods before he go ashore.

Penalty.

Goods for
sale not to
be taken out
on private
account.

Commissaries, Supercargoes and all others shall not be at liberty to take any Goods, Merchandise, &c., on their account, out of the Store, or to take any with them for the purpose of selling them at a dearer price to the People, or otherwise trade them for their private profit, on pain of forfeiting all their monthly wages, and being arbitrarily punished.

Penalty.

Colonists or
others not
to receive
from the
Public Store
more goods
than are
necessary
for them-
selves and
families.

In like manner, the Commissaries and Storekeepers shall not disburse to any person more Goods or necessities, either Stockings, Shoes, Shirts, Clothes and other supplies than each one shall be found to have need of for himself and family, to which end they

shall have first to inform themselves thereof, on pain, if acting to the contrary, of having such Administrator's account charged double the excess disbursed, and, in addition, himself fined six months' wages.

SEVENTH TITLE.

Of the Stewards, Quartermasters and of the Rations.

And, whereas it is necessary on a long voyage to maintain regularity in eating and drinking, for the preservation of health, so shall every one be content with such Ration as shall be allowed him by the Skipper, Commissaries, and Ship's Council, who, so far as necessity and circumstances can allow, shall adhere to the schedule of the Rations, on pain, if anyone put himself in opposition to the fixed Ration or be not content with it, he shall be confined fourteen days in the ship's galley on bread and water.

Those on board ship to be content with the Rations issued to them, and

Every one shall be bound to drink every day his ration of wine without being permitted to save it or sell it to any body else, and the ration of him who will not require to drink it shall remain in the pipe, and he shall not be at liberty to demand said portion afterward.

To drink their allowance of Wine.

Wine ration not drunk to remain in the pipe.

No man shall be permitted to pilfer or secretly carry off any wine or victuals, on pain of being placed in the ship's galley fourteen days on bread and water, but the wine and victuals shall be tapped and removed by those only who shall be detailed thereto by the Skipper and Commissary.

Penalty for stealing provisions, or

No person shall presume to throw overboard any food, whether meat, cheese, bread or other article, on the pretext that it is not good, except by consent of the Skipper or Commissary, who shall decide whether the food is good and wholesome or not, on pain of being placed each time in the ship's galley for eight days on bread and water.

Throwing food overboard.

EIGHTH TITLE.

Of the Arms and Ship's Implements.

Arms and
Implements
to be kept
clean.

All Officers, soldiers and sailors shall be bound to take care that the arms confided to them, be kept clean and neat; in like manner all implements, so that every thing may be ready in time of need; whereunto the skipper, captain, commissaries or superior military officers, shall be bound to attend, and to make every man show his arms every fourteen days, under a fine of one month's wages, to be forfeited for each neglect; whereof the Commissaries and supercargoes shall take notice, or, in default thereof, themselves forfeit one month's wages.

Arms to be
inspected
every 14
days.

Powder to
be turned
and dried
every 14
days.

The Skippers and Commissaries shall take care and oblige the gunners, every fourteen days, to set the undermost powder on the top and turn it about, and in fair weather, after the fire shall be effectually put out, it shall be brought up and dried, which particularly they are not to neglect, and whenever circumstances permit, such to be done on shore with greater safety, but taking good care that nothing shall be exposed to peril or danger.

NINTH TITLE.

Of the Sick, the Barbers and what appertain to them.

Duty of
Surgeons.

The Barbers, whether on board a ship or ships or on land, shall be bound to give their services cheerfully, and to use all diligence to restore the patients to health, without receiving therefor any compensation except their monthly pay, and, in case any of them receive any money or promise of payment, they shall be obliged to restore what they received, and the promise shall be null and void.

TENTH TITLE.

Of Wills, and Property of deceased persons.

All Skippers, Commissaries, Supercargoes, Assistants, Secretaries, Notaries, Auditors and others who, as public persons, write Wills, shall particularly take care that they are acquainted with the testators, and be careful that they duly comprehend the testator's intention, and that, on and in their respective ships and places of residence, all the people's Wills be correctly written and registered in a book, and signed by the testator and two credible witnesses besides the Skipper.

Regulation
in regard
to Wills.

Wills to be
recorded.

And in case a soldier marching against the enemy or dying constitute anyone in whole or in part his heir, the witnesses of such testament or last Will shall be bound so to declare on oath, before the authorities of the garrison or garrisons where they first arrive, and have the said declaration recorded as the Will, by those who register the people's wills there.

How
Soldiers'
Wills made
in the face
of the
enemy,
are to be
proved.

In like manner all clothes, jewels, money, obligations and other property, shall be duly inventoried and recorded in the same book, and the books annually sent over.

Property
of deceased
persons to
be inven-
toried.

But no widows or heirs shall be permitted to demand payment of any money proceeding from the sale of the deceased's property, until the books and accounts or other sufficient vouchers shall come over, from which can be determined what moneys have been realized and received from the sale of the property, and it appear that the debtors of the deceased have still so much due them from the City as it might amount to.

Proceeds
of property
of deceased
persons not
to be paid
until a final
settlement
of deceased's
accounts be
made.

To which end all the City's commissaries and Book-keepers, are ordered to allow anyone to purchase the effects at public Sale, who has at least an

Deceased's
effects to be
sold and
account
kept of pur-
chasers.

equal amount due him by the City, and they are to enter the same immediately on the purchaser's account, and most distinctly and correctly enter apart on a book each item and the names and surnames of each purchaser, and, in default thereof, any accruing loss shall be deducted and subtracted from such commissary's and book-keeper's monthly wages.

To what extent the City of Amsterdam will be liable for the proceeds.

Without, however, the City, on that account, making good or paying the promised purchase-money farther than the purchasers have to their credit on the account; the heirs of the deceased or other interested parties shall themselves run the risk.

Bequests and legacies to be entered in the account only as a memorandum.

But the moneys which one shall by Will bequeath to another, or the legacies left to the poor or others, shall be placed both to the debit of the deceased and the credit of the legatee, only as a memorandum, without carrying out any amount.

ELEVENTH TITLE.

Order relative to divers Offenses and disorders occurring on the Voyage.

Dice, cards and gambling implements not to be brought on board.

And, whereas many misfortunes occur through gambling and diceing, no person shall bring or make on board any dice, cards, or any other implements of gaming, on pain of being placed eight days in irons, on bread and water, or even use them on pain of forfeiting twenty stivers for the first offense, and, in addition, to have the gaming implements thrown overboard, unless the Skippers or ship's Council should permit something of the sort for pastime.

Penalty.

Wagers not recoverable if lost; if won, to be refunded.

And whatever the one should happen thus to win from another in the forbidden game, or by betting, during the voyage, the loser shall not be obliged to pay, and, having paid it, the winner must restore it or let it be deducted from his monthly wages, and both the winner and the loser shall pay a fine at the

cretion of the ship's Council, or otherwise be arbitrarily punished, as hereinbefore stated.

If any one get drunk on board the ship or on shore, shall for each offense be placed fourteen days in the ship's galley on bread and water, and in addition punished according to the circumstances of the case; and those of the cabin found drunk shall suffer double punishment each time, or commute the same with three months' pay.

Penalty.
for drunk-
ness;

If anyone quarrel or strike with the fist he shall be placed three days in irons on bread and water, and whoever draws a knife in anger or to wound or do any person bodily injury, he shall be nailed to the mast with a knife through his hand and there remain until he draws it through, and if he wound anyone he shall be keel-hauled, forfeiting nevertheless six months' pay.

For
assaults,
drawing a
knife or
inflicting a
wound; and

If any person kill another, he shall while living be thrown overboard with the corpse, and forfeit all his monthly wages and booty.

For murder.

No one shall be at liberty to go with fire or a light to the hold, the ship's buttery or the powder magazine, or use any fire or candles except by permission of the Skipper and Commissary, on pain of being whipped with cat-o-nine-tails through his quarters, and moreover arbitrarily punished according to the circumstances of the case.

No fire or
candles to be
carried into
the powder
magazine,
&c.

And in order to prevent the danger of fire, and the trucking which arises from bartering tobacco and drink, no person soever shall sell or barter tobacco, or make use of the same except during the day, with the consent and permission of the skipper and commissary, and then only on the forward deck or before the mainmast, on pain of being placed in the ship's stocks four days on bread and water.

Tobacco
not to be
sold, or to be
smoked
except in
the day-
time, and
then only
on the
forward
deck.

Further, every one without any exception is forbidden to make use of, or carry with him any burning

No matches,
candles or
fire to be
carried

about,
except on
service, and
with per-
mission.

matches, candles, or other fire however named, unless in his official duty and ship's service, and then with the knowledge of the officers, on pain of being confined eight days in irons, and in addition forfeiting one month's pay.

Sentinels
not to allow
any one to
come on
board unless
by permis-
sion.

And the sentries shall not allow any person to come on board, either by night or by day, unless by consent of the skipper or commissary, on pain of bodily punishment.

TWELFTH TITLE.

On the maintenance of these Articles, and the execution of all Sentences ; also of the Provosts.

Skippers
to enforce
Regula-
tions.

Skippers, Commissaries, also all those who administer Justice, shall be bound to take care that all Articles and Ordinances contained in these Instructions, be well and fully obeyed, maintained and the violation thereof effectually punished as they deserve.

Civil
cases to be
promptly
decided and
disposed
of, and

They shall not allow any Civil cases to remain open and undecided, whether these concern the City, Justice or any other party in particular, but shall be bound to dispose thereof by judgment or settlement, the money fine inclusive, on pain of forfeiting two months' wages for every action which each person might, or, by virtue of his office, ought to have attended to.

Judgment
impartially
executed.

Which judgment shall be executed without simulation or delay by the Provost or whomsoever may be appointed thereto, and if any one rebel against it, or oppose the carrying out or execution of the judgment or sentence, he shall forfeit four months' wages and be in addition corporally punished.

Penalty
for neglect.

Prisoners
to forfeit a
month's pay
for every
day they
are in irons.

And whosoever shall be confined in irons shall forfeit as many months' pay as he shall have been set days therein, which shall be deducted on the payment, which the Commissaries or Supercargoes shall debit

in their accounts, or, if they neglect, shall be deducted from their own pay.

If anyone furnish the prisoner either meat, drink or anything else, he shall forfeit a month's wages, and be confined eight days in irons on bread and water.

Penalty for
furnishing
meat, &c., to
Prisoners.

And in order that the Provost, or he who may be appointed thereunto, may perform his duty with authority and power, all naval and military officers shall be bound to assist him; and no one shall presume to prevent him apprehending, much less assist the prisoner, on pain of corporal punishment.

Provost to
be aided in
the execu-
tion of his
duty.

THIRTEENTH TITLE.

What regards the Soldiers in particular.

The Skippers and Commissaries shall not have power to place the Soldiers under arrest without the advice of their captain or other superior officer.

Soldiers to
be arrested
only by
order of
their offi-
cers.

And all matters which relate to War or Soldiers shall be treated and disposed of by the Council of War, that is, by the Skipper, Captain, if there be one, and yet another superior Military officer, or else the Sergeant, who shall rank next to the Commissary and Pilot; but when the Companies are formed on board the ships, the Captains, Lieutenants, and Ensigns shall appear in the place of the Sergeants, in the Naval or Military Council.

Council of
War.

Of what
officers to be
composed.

And in case a Military officer happen to die on the outward Voyage, or to behave so as to be deposed from his office by the General court martial, the aforesaid Council of War shall appoint in the place of the reduced or deceased officer, another whom they shall find most fit and who shall have best behaved and acquitted himself in the City's service. And this Article shall be in force only at sea.

Their
powers.

All Military Officers and Soldiers, and when necessary all others in the City's employ, shall, without

All persons,
civil and
military,

To work
at erecting
Forts and
public
works,

Without
extra pay.

any exception, be bound, for their own security and defense as well as for the service of the High and Mighty Lords States General, the said City and on the order of the Director, Commissary, Captain and Council, as well as of all others in authority and command over them, to labor at erecting and repairing of Forts, Batteries, Trenches and other works, without receiving therefor, in addition to their fixed pay, any thing more than free board during the time they work, unless the aforesaid Director, Commissary and Council of *New Netherland* (who shall allow it, and not any other inferior or subaltern officer) might for some valid reasons and considerations deem it proper to allow the workmen something additional as a reward, wherein they shall not exceed moderation.

Arms
charged
to those
receiving
them, and to
be credited
when
returned;

Every one shall be charged with his arms and have their cost deducted from his monthly wages received from the City, but he must change arms when so ordered by the Director, Commissary or even his Captain or superior Military officer, and his arms shall be taken back from every one, on his returning home or happening to die, and credited on his account. Commissaries and Supercargoes shall pay attention thereto, on pain of reimbursing the same from their own pockets in case of neglect.

To be kept
clean and to
be inspected.

All soldiers and military officers shall keep their arms clean and neat, and must, as before stated, exhibit them once a fortnight to their superior officer.

No person
to injure
Inhabitants
of *New
Netherland*,
whether
Christians
or Indians.

No military officers, soldiers, or generally any other persons of what rank or quality they may be, in the service of the City, shall, except by consent and express command of those having authority over them, be permitted to do any injury, or commit violence in any manner, either to the persons or property, wives or children of the Inhabitants of *New Netherland*, whether French, English or other Chris-

tian Nation, or to the Natives of the Country ; and, furthermore, they must regulate themselves in all things like others in the service of the City, according to the General Articles, Instructions and Ordinances already issued, or still to be enacted by the City, or by the Director, or Commissary and Council, so far as the same may apply to them, on pain of being corporally or otherwise punished and fined, according to circumstances pursuant to the tenor of said Articles.

Laws
already
enacted, or
hereafter to
be made, to
be obeyed.

Penalty.

Whenever the City shall deem it expedient that the officers, soldiers, sailors, and all others in *New Netherland*, find themselves in food, either wholly or in part, they shall be bound, without any gainsay, willingly to accept and obey the regulation, on such terms and conditions as is already or shall yet be enacted.

Persons to
find their
own food
when orders
to that effect
shall be
issued.

FOURTEENTH TITLE.

Of what relates to the Colonists and other Free persons who are going over.

Colonists, Tradesmen and other free Merchants, shall not be at liberty to carry with them, under any pretext whatsoever, any Munitions of War, such as powder, lead, guns and other arms, to sell or barter them in *New Netherland* to the Natives or Indians there, on the fine of quadruple the value of the contraband goods which might be sold or bartered by them.

Powder,
guns or
other Munitions of War
not to be
sold to
Indians.

Penalty.

And, therefore, every one must, if needs be, submit to a proper inspection and examination of his Chests, Cases, Casks and other packages, before he be able to go ashore.

Cases,
Casks,
&c., to be
inspected.

The aforesaid Colonists and Tradesmen who shall be transported at the expense of this City, shall be bound to remain in its Colonie for the term of four years, unless for pregnant reasons, and unless they shall have paid and made good to the City

Colonists
bound to
remain 4
years in
*New Neth-
erland*.

Unless they
before the
expiration
of that time
pay ad-
vances
made to
them.

Colonists
not to sell
supplies
issued to
them from
the public
Store.

within the aforesaid time the disbursement it incurred, both in conveying over themselves, their families and furniture, and in supplying them from the Store there on account of the said City with provisions and other necessaries of clothing and farming implements.

None of the Colonists and other persons going over there shall be at liberty to dispose of, barter or sell the goods and necessaries which will be issued as supplies to them on account, from the City's Store in *New Netherland*, on pain of having quadruple the value thereof charged to their account, and no more goods issued to them.

On this day, the 9th December, 1656, have the Officers, Soldiers, Matrosses and Freemen, about to sail in the ship *Prince Maurits* to *New Netherland*, after the aforegoing Instructions had been read to them, taken the proper Oath at the hands of Mr. *Lamber Reyns*, Schout, in presence of Messrs. *Robert Ernst* and *Joachim Rendorp*, Schepens.

To my knowledge,

KORVER, *Secretary*.

ORDINANCE

Of the Director General and Council of New Netherland regulating the Currency. *Passed 3 January, 1657.*

[N. Y. Col. MSS. VIII. 383; XVI. 98.]

THE Director General and Council of *New Netherland*,

To all those who see or hear these Presents read, Greeting, make known.

WHEREAS they, to their great regret, are by their own experience daily informed, and by the manifold complaints of Inhabitants and Strangers importuned, respecting the great, excessive and intolerable dear-ness of all sorts of necessary commodities and household supplies, the prices of which are enhanced from time to time, principally, among other causes, in consequence of the high price of Beaver and other Peltries in this country beyond the value, which, by reason of the great abundance of Wampum, is advanced, to ten, eleven and twelve guilders for one Beaver; And Wampum being, for want of Silver and Gold coin, as yet the most general and common Currency between Man and Man, Buyer and Seller, domestic articles and daily necessities are rated according to that price, and become dearer, from time to time; the rather, as not only Merchants, but also, consequently, Shop-keepers, Tradesmen, Brewers, Bakers, Tapsters and Grocers make a difference of 30, 40 @ 50 per cent when they sell their wares for Wampum or for Beaver. This tends, then, so far to the serious damage, distress and loss of the common Mechanics, Brewers, Farmers and other good Inhabitants of this Province, that the Superior and inferior magistrates of this Province are blamed, abused and cursed by Strangers and Inhabitants, and the Country in general receives a bad name,

Preamble.

Depreciation of Wampum.

Prices of
necessaries,
and

while some greedy people do not hesitate to sell the most necessary eatables and drinkables, according to their insatiable avarice, viz. the can of Vinegar at 18 @ 20 stivers; the can of Oil at 4 @ 5 guilders; the can of French wine at 40 @ 45 stivers; the gill of Brandy at 15 stivers, and two quarts of home brewed Beer, far above its price, at 14 @ 15 stivers, &c., which the greater number endeavor to excuse on the ground that they lose a great deal in the counting of the Wampum; that it is partly short and partly long; that they must give 11 @ 12 and more guilders before they can convert the Wampum into Beaver.

Of Beaver.

Wampum
declared
to be mer-
chandise in
wholesale
trade;

When
used as
currency
to be rated
according to
the price of
Beaver, and

The Director General and Council aforesaid, wishing, therefore, to provide herein as much as lies in their power, have, for the good and advantage of their Inhabitants, after divers serious considerations, propositions and debates held at various times, not been able to discover any better expedient, than to declare Wampum a commodity and merchandise in the matter of commerce and wholesale trade; to wit, only among those who import it from abroad, or trade it in this Province with Indians for Furs; but inasmuch as, for want of Silver and Gold coin or other pay, Wampum must, in smaller quantities, serve as currency between Man and Man, Buyer and Seller, the Director General and Council aforesaid, have determined, resolved and Ordained, as they do hereby resolve and Ordain to rate Wampum, and as far as is possible to cause it to be rated at the value of Beaver, the Beaver being still reckoned, until further Order and advice from *Patria*, at Eight guilders and no higher.

And in order to prevent in future the complaints of miscounting of the Wampum, with regard to which no few mistakes have been experienced, to the loss of the Hon^{ble} Company's Treasury; also, the

taking out of short or long Wampum, if it be but good, even and well strung, the Director General and Council further Ordain and command, that, from this time forward, after the publication and posting hereof, Wampum shall not be paid out or received, between Inhabitants and Inhabitants of this Province, even for merchandise or for contracts made before this in Wampum, by the tale or stiver, but only by a stamped measure, authorized to be made and stamped for that purpose, by the Director General and Council, the smallest of which measures shall be five stivers; the whole ten, and the double 20 stivers.

Paid out
according to
a stamped
measure.

Values
of such
measure.

And if it should come to pass that the price of the purchased or sold article should not amount to, or equal half the smallest measure or $2\frac{1}{2}$ stivers, the Director General and Council, in order to prevent cavilling and disputes, do order and command that the Receiver or the Payer, shall satisfy or make up the smallest fraction under or over $2\frac{1}{2}$ stivers, by the tale; each white Wampum bead being reckoned at half a farthing, and each black bead at one farthing.

Fractions
of a mea-
sure, how
satisfied.

Value of
White and
of Black
Wampum
beads.

And in order that no one may plead ignorance hereof, the Director General and Council order and command that these Presents shall be published, and, after publication, observed, executed and obeyed, everywhere within this Province of *New Netherland*, under a fine of 50 pounds Flemish for the first time, and double for the second time, to be forfeited by such as shall be found, after the publication and posting hereof, to have paid out or received any Wampum by the tale, or any other measure than that Ordained and stamped by the Director General and Council; such fine to be applied as it ought.

Penalty for
disobeying
the Law.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam*, in *New Netherland*, the 3 January, A° 1657.

NOTE.—The following is an extract of the dispatch of the Directors at *Amsterdam*, on the subject of the above Ordinance:

"We do not consider out of place the reasons you adduce in support of the Edict you have drawn up on the subject of reducing the value of the Wampum, or circulating it by measure, and therefore would be willing to confirm it, in case the magistracy and some of the principal merchants there would be content with it, whose advice on the subject can be received, and with their consent it can be put in force there. To this end we herewith send back the aforesaid Edict, after having made a few alterations, our meaning being in all events, that the Wampum should not be rated or issued by us at any higher value than in *New England*.

"And as we have observed that in similar Ordinances and Edicts you simply use the name of the Incorporated West India Company without adding thereto the words: At the Chamber of *Amsterdam*: We have therefore thought it necessary hereby to command you not to neglect to employ them on all future occasions." *Directors to Stuyvesant and Council*, 22 Dec. 1657. *N. Y. Col. MSS. XII. 69. Tr.*

RESOLUTION

Suspending the preceding Ordinance. *Passed 9 January, 1657.*

[*N. Y. Col. MSS. VIII. 395.*]

Preamble.

NOTWITHSTANDING the regulation of the Wampum is necessary, as more fully set forth in the hereinbefore Ordinance to that effect drawn up, yet in order to act with moderation, the Director General and First Councillor have called before them at the City hall of this City, the Burgomasters and Schepens and some of the principal Inhabitants to hear their opinions touching the regulating of the Wampum. Who having appeared and the regulation of the Wampum being submitted to them, they unanimously requested that the Ordinance prepared for that purpose may be suspended for the present time, until the Wampum that is here at present in great abundance may be somewhat reduced by exportation.

The request being taken into further^d consideration by the Director General and Council of *New Netherland*, it is resolved to suspend the aforesaid Ordinance for the present, until the Wampum be somewhat reduced in quantity.

Preceding
Ordinance
suspended.

Done, *Amsterdam* in *New Netherland*, the 9 January, A° 1657.

ORDINANCE

Of the Vice-director of Fort Casimir for the removal of Abuses in the Indian Trade at the South River. *Passed 10 January, 1657.*

[Y. N. Col. MSS. XVIII. 23.]

THE Hon^{ble} Vice Director *Jaquet*, seeing and Preamble.
 remarking the great Irregularities and Abuses here daily committed by some Inhabitants residing near and around *Fort Casimir*, in running after, going to meet, and seizing the Indians, principally whenever they have any Goods with them, for which reason the trade in some Peltries is greatly enhanced to the serious loss of the Commonalty, and worse is yet expected; in like manner also the Ordinances already enacted on the subject of the Trade are again by such conduct nullified and broken, and the good design for the prosperity of the Commonalty again brought to naught. Therefore, the aforesaid Mr. *Jaquet*, aiming at the public peace and the welfare of the people here, and as much as possible to prevent all disorder, hath interdicted and forbidden as he doth hereby interdict and forbid, all and every the Inhabitants residing on this *South river* be they who they may, from attempting to repair to the residence or resort of the Indians or Natives of this Country, or to go either up the River or down the River, or to the *Minquas* or elsewhere, wheresoever it may be; or to go to meet the Indians coming

Inhabitants
of the *South
river* not to
go to the
Indian
country to
trade, or
obstruct the
Indians
when they
visit *Fort
Casimir*
with their
goods.

Penalty.

by water or by land here or elsewhere by the houses of Christians, to lay hold of them or to call them in, but to allow said Indians free passage wherever they may please to go with their goods, and that on the forfeiture, for the contraveners of the Peltries so traded, and in addition to be arbitrarily corrected at the discretion of the Judge.

Thus done and enacted in *Fort Casimir*, on the day and year aforesaid.

ORDINANCE

Of the Director General and Council of New Netherland for the Fencing of private Lands, and authorizing the cutting of Firewood and Timber on unfenced Lands. *Passed 16 January, 1657.*

[N. Y. Col. MSS. VIII. 411; XVI. 101.]

THE Director General and Council of *New Netherland*,

To all those who shall see or hear these Presents read, Greeting, make known.

Preamble

WHEREAS many complaints have lately been presented to us of the chopping of Firewood and cutting of Timber on lands claimed by divers of our Inhabitants in virtue of Patents, the principal reason and cause of which are that many land-grasping Inhabitants of this Province have received, several years ago, many and large tracts of land on Letters patent from the Director General and Council, on the express condition to cultivate and improve them, which lands many Inhabitants have, for several years, allowed to lie, and which still lie unfenced, unimproved, yea, wild and waste, without making any improvement or bestowing any labor upon them, merely claiming and retaining them by virtue of the obtained Letters patent. Not only is the Hon^{ble} Company defrauded and curtailed in its Revenue, and the settlement of

the Country delayed and postponed hereby, but some of our Inhabitants who seek to earn an honest livelihood for themselves by chopping and cutting Firewood and Timber, are frequently prevented and hindered in their design by those who, in virtue of Letters patent, lay claim to such lands without improving and cultivating them, whence many quarrels and disputes have, at divers times and places, arisen between Inhabitants and Inhabitants.

In order to prevent this as much as possible, the Director General and Council aforesaid do, therefore, again Ordain and Command that all those who, in virtue of Patents or Deeds, claim any Lands, shall properly set off and fence them in, so that the Director General and Council as well as the Inhabitants may know and see what lands have been granted and what remain still to be granted.

Patented
Lands to be
fenced.

And the Director General and Council aforesaid do hereby declare and Ordain that none of our good Inhabitants shall be hindered or prevented to chop Firewood or cut Timber on unfenced Lands, wherever it shall best suit the convenience of the Inhabitants, on pain of legal proceedings being instituted against those who will have hindered or prevented the same.

All persons
at liberty
to cut Fire-
wood and
Timber on
unfenced
Lands.

Done at *Fort Amsterdam* in *New Netherland* the 16 January, A° 1657.

ORDINANCE

Of the Director General and Council of New Netherland obliging
Tavernkeepers to take out Licenses, and to pay Excise. *Passed*
23 January, 1657.

[N. Y. Col. MSS. VIII. 425; XVI, 103.]

THE Director General and Council of *New Netherland*,

To all those who shall see or hear these Presents
read, Greeting, make known.

Preamble.

That they are informed and told that divers persons, as well within the City as on the Flatland in the villages and hamlets of this Province, undertake and presume to open Taverns, Alehouses and to sell Beer and Wine by the small measure and to continue so to do without having applied for, or received any License from us or from those by us authorized, which is contrary to the good order and police of our Fatherland. Beside that, such Tavernkeepers, Tapsters and Retailers of Wine, Beer and distilled Liquors are opposed to, and refused to pay and satisfy the usual Excise imposed on the consumption of Wine and Beer.

No person
to keep
Tavern or
Alehouse

In order to prevent this, the Director General and Council of *New Netherland* do hereby Ordain that no person within this Province shall attempt to keep any Tavern, Alehouse or retail any Beer, Wine, Brandy or distilled Liquors by the small measure, before and until he hath applied to and notified the Director General and Council, or their deputies, to wit, the subaltern court of the Village to which he is subject, and, in addition, hath entered with the Farmer or his collector the Beer, Wine, distilled Spirits or Liquors to be laid in and consumed by him, and thereon paid, for the behoof of the public, the usual Excise imposed thereon by the Director General and Council and publicly let to the highest

Without
giving
notice to
the author-
ities,

Entering
his Stock,
and

Paying the
Excise.

bidder, whereof *Warnacr Wessels* is the Farmer for the current year, and *Jan Theunissen* is, with the consent and approbation of the said Director General and Council, his Collector for the town of *Flushing* on pain of forfeiting the Wine, Beer, Brandy or distilled Liquors and five times the value thereof in case any Tavernkeepers, Tapsters or retailers are found to have smuggled or laid in any Beer, Wine, Brandy or distilled Liquors without entry or Excise permit, and 25 guilders additional, for the first offense, to be forfeited by those who attempt tapping or retailing of Wine, Beer or distilled Liquors by the small measure without having demanded and received a Permit or a License therefor from the Director General and Council or their qualified subaltern Magistrates; the fine to be applied one-third for the Officer who shall make the complaint, one-third for the Farmer [of the Excise] and one-third for the public.

Penalty.

Fines, how
to be dis-
tributed.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, the 23 January, A° 1657.

ORDINANCE

Of the Director General and Council of New Netherland establishing Great and Small Burgherright in New Amsterdam. *Passed 30 January 1657.*

[N. Y. Col. MSS. VIII. 437.]

Preamble.

THE Director General and Council of *New Netherland* having taken into consideration the exhibit of the Burgomasters and Schepens of this City of *New Amsterdam* in *New Netherland*, wherein they remonstrate on the one hand the trouble, labor, burthens, expeditions and watchings which the Burghers of that City have supported, borne and sustained in the last national quarrel with the neighbors; also in the sad and unexpected rencounter with the Natives, and what they, as the principal Frontier and Capital are exposed to more than others; on the other hand, the repeatedly made complaints of the Burghers and of other Inhabitants of this Province against the trading and trafficking of the Scotch, who go hither and thither by water into the interior, even to the best trading places, taking as it were the bread out of the mouths of the Burghers and resident Inhabitants, without being subject, like the Burghers and settled Inhabitants, in time of peace or war, to any trouble, expense, labor, expeditions or watches, except that, in time of peace they carry off the profits, and in time of war desert the Country and its Inhabitants, against which the Burgomasters and Schepens request some more extensive favor, privilege and freedom.

The Director General and Council of *New Netherland*, having taken the premises into serious consideration, being sufficiently informed by their own experience of the truth and justice of the case, have, on the petition of the Burgomasters and Schepens, with the approbation and ratification of the Lords Patroons, and by their advice and Instructions dated

12 March, 1654,* provisionally condescended, apostilled, privileged and granted that from now henceforth the Scotch and Traders who come over, shall, by virtue of the Stapleright and pursuant to the Orders and Instructions of the Lords Patroons, be bound to set up and keep in a house or room hired or owned by them, an open Store within the gates and walls of this City, before selling or removing their Goods and Merchandises, and to ask previously of the Burgomasters and Schepens aforesaid, for the Common or Small Burgherright, to enable them so to do, for which they shall pay once Twenty guilders for the behoof of this City and the support thereof. In like manner, also, in virtue hereof, the Burgomas-

Scotch and
Traders

To keep
a public
Store in *New
Amsterdam*
and take
out Small
Burgher
right.

* "With regard to the Edict drawn up by you*, that no Traders shall sell their Merchandises by the small measure, weight and ell, or convey them into the interior, unless they settle in the country with a decent house or bouwery, and reside there three consecutive years, we can well consider that such transient Traders are bringing by their extortion little profit to the Inhabitants there; but the remedy your Honors propose to prevent it, we judge to be impracticable, especially in the very beginning of a first-budding State, whose growth must be sought for in, and founded rather on, fostered and unlimited Freedoms, than on compulsory restrictions. For, to desire to constrain people by obligation to possess houses or lands, who often have thereunto neither opportunity nor inclination, is too disgusting, and to force them to reside, too servile and slavish, yet, in order to benefit the Inhabitants as much as possible, we have judged that it would be proper and also less dangerous to the advancement of the State, to enact and resolve as follows, viz.:

That henceforth no Traders coming over there, shall be allowed to sell their Goods as aforesaid, or to carry them inland, unless they keep an open store there. By this means then, not only will extortions be in a great degree prevented there, but such Traders will also be obliged to bear the ordinary and extraordinary Taxes and contributions, the same as the rest of our Inhabitants. Your Honors will therefore regulate yourselves accordingly. We will, also, warn you, before quitting this subject, not to enact, in future, any more such or similar Ordinances or regulations, much less to publish them, before you shall have first received our Instructions thereon, as we find such to be for the greatest advantage of the Company and this State in particular. *Directors to Stuyvesant, &c., 12 March, 1654. N. Y. Col. MSS. XII. 1. Tr.*

* See Law of 18 September, 1648, *supra*, p. 101.

No transient person to carry on any trade or business, except they procure Small Burgherright and take certain oaths.

ters and Schepens are granted that, from this time forward, no Passengers, Scotch, Traders or Handicraftsmen shall be privileged to pursue, within this City, any store business or handicraft trade, except those who have applied to and received from the Burgomasters and Schepens the Small or Common Burgherright, and bound themselves by subscription or promise of oath, to the Supreme government of the Director General and Council, to bear, during their stay here in the City, their Taxes, Expeditions and Watches, like other Burghers and Citizens.

Burgomasters and Schepens to establish Great Burgherright.

Further, agreeably to the laudable custom of the City of *Amsterdam*, in *Europe*, the Director General and Council of *New Netherland* give and grant, with the approval and ratification as aforesaid, to the Burgomasters and Schepens of this City, the establishment of a Great Burgherright, for which those who request to be therein shall pay 50 guilders.

Fee for Great Burgherright.

Privileges of the Great Burgherright.

And all such, and such only, are in future qualified to fill all civil offices and dignities within this City, and accordingly they can be brought up for nomination; Secondly, are exempt for one year and six weeks from guard duty and expeditions; Thirdly, they are not subject to arrest by any subaltern Judges or Courts of this Province.

Power to enlarge and interpret this Law reserved

The Director General and Council reserve to themselves the further amplification and the interpretation of any obscurity or misunderstanding hereof.

Thus done in Council in *Fort Amsterdam* in *New Netherland*, the 30 January, 1657. *P. Stuyvesant, Nicasius de Sille, Pieter Tonneman.*

ORDINANCE

Of the Director General and Council of New Netherland declaring who may be admitted Great and Small Burghers. • *Passed 2 February, 1657.*

[N. Y. Col. MSS. VIII 442: XVI 105.]

THE Director General and Council of *New Netherland*,

To all those who see these presents or hear them read, Greeting, make known.

That they, out of consideration of the good and voluntary services, expeditions, watches and other burthens, which the Burghers have hitherto done and borne, and in the hope and confidence which the Director General and Council still indulge, of their continuance and perseverance therein, have, on the humble petition of the Burgomasters and Schepens, privileged and favored the Burghers and good Inhabitants of this City, with a Great and Small Burgher-right, as can be more fully seen by the grant of privilege made to the Burgomasters and Schepens, in amplification of that already bestowed; And whereas, in all beginnings, something or somebody must be the first, so that thereafter a distinction and difference may be made, therefore, also, the necessity of such distinction being founded on reason, in the establishment of the Great and Small Burgherright, whereof the Burgomasters and Schepens have, by petition to the Director General and Council, requested further explanation, specification and distinction as to who, and what class are, for the present, to be included in the Great, as well as in the Small, Burgherright, the Director General and Council of *New Netherland*, invest, qualify, and favor with the GREAT Burgher-right,

First, those who have been, and at present are in the High or Supreme government of the Country, them and their descendants in the male line.

Former
and actual
members of
the Govern-
ment,

Former
and actual
Burgomasters
and
Schepens,

Secondly, all former and actual Burgomasters and Schepens of this City, their descendants in the male line.

Former
and actual
Ministers of
the Gospel,

Thirdly, the Ministers of the Gospel, formerly and at present in office, them and their descendants in the male line.

Officers
of the City
Regiment,
and their
male des-
cendants;
also,

Fourthly, the commissioned officers to the Ensign inclusive, of the City regiment, them and their descendants in the male line. All with this understanding, that the above mentioned gentlemen and persons, for themselves or their descendants in the male line, have not lost nor forfeited Burgherright by absence from the City and by not keeping fire and light; agreeably to the laudable custom of the City of *Amsterdam* in *Europe*.

All others
who shall
pay the
sum of Fifty
guilders, are
entitled to
the Great
Burgher-
right.

Further, all others who desire and are inclined, or hereafter may be desirous and inclined, to be enrolled in the Great Burgherright, and to enjoy the privileges and benefits thereof, shall, according to the foregoing grant, apply for the same to the Burgomasters and receive it, on paying therefor the sum of Fifty guilders, Dutch money, or the equivalent thereof.

With the SMALL Burgherright are invested and favored,

Those
who keep
fire and light
in the City 1
year and 6
weeks,

All Natives
of the City,
Husbands of
Native born
daughters of
Burghers,
and

First, all those who have resided and kept fire and light within the City one year and six weeks.

Secondly, all born within this City.

Thirdly, all who have married, or may hereafter marry, native born daughters of Burghers, provided that the Burgherright be not lost or forfeited by absence from this City, or by not keeping fire and light in conformity as aforesaid.

All who
keep a shop
and carry
on business
in the City
of *New
Amsterdam*
and pay

Further, all others who either now or hereafter will keep any shop, however it may be called, and carry on business within this City or the jurisdiction thereof, shall be bound to apply to the Burgomasters

for the Small Burgherright, and pay therefor Twenty guilders Dutch money, or the equivalent thereof.

All Servants of the Hon^{ble} Company under wages, also Passengers and New-comers who will settle elsewhere, provided they do so within six weeks, remain alone exempt from applying for Burgherright, for the exercise of all sorts of handicraft and the practice thereof.

The moneys arising from the receipt of the Burgherright shall be received by the Burgomasters, and by them expended principally in the strengthening and circumvallation of this City.

In order that all this may be the better and more regularly practiced, observed and obeyed, the Burgomasters are ordered and authorized to make out, or cause to be made out on the first, and all following occasions, correct Lists of those who, according to the tenor hereof, are invested, qualified and favored, either with the Great or Small Burgherright, and of those hereafter who obtain and receive the same, and have a true Register thereof made, and when done, deliver a copy thereof into the Office of the Secretary of the Director General and Council.

Thus done, resolved, resumed and enacted in the Assembly of the Director General and Council of *New Netherland*, holden in *Fort Amsterdam*, in *New Netherland*, the 2 February, A° 1657.

Twenty
guilders,
entitled to
Small Bur
gherright.
Servants
of the Com-
pany and
those
who settle
elsewhere
within 6
weeks,
exempt.

Moneys
received for
Burgher-
right, how
to be
applied.

Burgo-
masters to
make out
Lists of
Great and
Small Bur-
ghers, and

Deposit
copy thereof
in the office
of the Sec-
retary of the
Province.

ORDINANCE

Of the Court of Breuckelen imposing an Assessment on that Town to pay the salary of the Rev. Mr. Polhemius, &c. *Passed 7 February; Approved 13 February, 1657.*

[N. Y. Col. MSS. VIII. 463.]

Preamble.

WHEREAS the Village of *Breuckelen* is taxed by the Director General and Council, but finally with our general consent and agreement, with the sum and charge of fl.300, provisionally for this year, as a supplement of the promised salary and yearly allowance of the Rev. Minister D^e *J. Theodorus Polhemius*, therefore have we, of the Court of *Breuckelen*, to raise said sum of fl.300, in the easiest manner, assessed and taxed each person, inhabiting *Breuckelen* and its dependencies, as is hereunder more fully set forth and to be seen, all according to our conscience and opinion in easy circumstances and well off; wherefore *Symon Joosten*, our Court messenger, is hereby ordered and commanded, on sight and receipt hereof, to repair to the undermentioned and named persons, and to notify each of them of their Assessment and Tax, and that each, for himself in particular, shall be bound within eight days from now, to bring in and to deliver into the hands of Mr. *A. Cornelissen* in *Breuckelen*, the half of his Assessment, either in Wampum or Country produce, such as Corn, Wheat, Peas, Maize, &c. That then all shall be credited and correctly entered, at the current price, on each one's account and assessment; the remaining half must be paid next May, of the present year, Anno 1657, in order to be able at that time to satisfy and give contentment to the said *Polhemius*.

Inhabitants of *Breuckelen* assessed, as in the list subjoined

Court Messenger to notify persons assessed,

To pay half their Tax in 8 days, and

The remainder next May.

Thus done and enacted at the Court held at *Breuckelen*, with the previous approbation of the Director and Supreme Council in *New Netherland*, on Wednesday the 7 February, A^o 1657.

Persons and Inhabitants of *Breuckelen* and unto *The Ferry*.

		Tax list of <i>Breuckelen</i> and <i>The Ferry</i> :
Albert Cornelissen hath promised for this year,	fl.12	
Joris Dircksen, in like manner,	12	
Jan Eversen's farmer, named Bartel Clasen, taxed,	10	
Theunis Jansen on Fredrick Lubbertsen's land, taxed,	10	
Barent Jansen,	6	
Jan Daeme,	6	
Johannes Nevius at <i>The Ferry</i> , taxed,	15	
Cornelis Dircksen, late Ferryman,	10	
Adryaen Huybertsen,	6	
Claes de Meutelaar,	6	
Gerrit the Wheelwright,	8	
Outie, House carpenter,	6	
Jan Martyn,	6	
Egbert van Borstelen,	10	
Louis; lives at present at the Poor's bouwery, but intends to return,	10	
Michiel Tater,	10	
Peter Cornelissen,	6	
Elbert Elbertsen, at <i>The Bay</i> ,	10	
The smith,	6	
Black Hans's land,	6	
Total,	fl.171	

The persons taxed at the *Walebocht* are the following:

		Of the <i>Walebocht</i> :
Joris Raphallie hath of his own free will promised to give and contribute,	fl.10	
Hendrick de Copsterdt's* land is taxed,	4	
Peter Moelett (say Abram the Turk),	6	

*Quere? Hendrick, the Cupper or bleeder, Tr.

Jan de Olerck,	fl.6
Peter Jansen resides on Lagebergh's land, ...	8
Peter Montfoor,	10
Jan Martyn,	8
Gabriel's land (Mr. Paulus Leendersen must answer for this),	10
Peter Meinst,	8
Aert Theunissen,	8
Jan the Chimney sweeper,	4
Nicolas the Frenchman,	6
Total,	<u>fl.88</u>

Of Gov-
ernment.

The taxed Inhabitants at the *Gouwanen* are these following and undernamed persons:

William Bredenbent hath voluntarily promised to contribute,	fl.12
Jan Petersen is taxed,	8
Barent Bal, in a like sum,	8
Theunis Niesen,	12
Adam Brouwer,	6
Johannis Marcus,	4
Mr. Paulus,	10
Total,	<u>fl.60</u>

By order of the Schepens of the Court of *Breuckelen*, with the previous approbation of the Director General and Supreme Council in *New Netherland* aforesaid.

(Signed,) PETER TONNEMAN, *Secretary*.

. 13 February, A° 1657.

Ratification.

The preceding Ordinance, enacted by those of the Court of *Breuckelen*, on the date 7 Feb^r, 1657, being read and considered in Council, the Director General and Council find the same just and equitable, There-

fore the Magistrates of the abovenamed Village are hereby authorized to execute the same, and to proceed against the unwilling, as it may be proper. Done, *Fort Amsterdam in New Netherland*, date as above.

ORDINANCE

Of the Director General and Council of New Netherland for the better Inspection of Tobacco. *Passed 30 March, 1657.*

[N. Y. Col. MSS. VIII. 494; XVI. 108.]

WHEREAS the frauds committed in the sale and exportation of poor, bad, rotten or withered Tobacco have, for a long time past, been publicly known, not only in this Country, but divers complaints have also been presented and made from Fatherland, to wit: that now and again quantities of such poor, bad, rotten or mouldered Tobacco have been sent over by divers Traders, Factors and Agents of good, respectable Merchants, and charged in account to the principals at 6 @ 7 stivers when it apparently cost here scarcely 2 @ 3 stivers, and on arriving cannot realize the ship's freight; To prevent this, then, as much as possible, the Director General, the Councillor and those they have assumed, have, on the advice and Instructions of the Hon^{ble} Directors,* considered it right and necessary to subject the *Virginia* Tobacco to inspection as well as that of *New Netherland*. But as experience has manifested and proved that inspected good Tobacco, the hogsheads of which were, according to order, on the purchase and receipt, marked with the customary branding iron, hath been subsequently, fraudulently, either changed or mixed with inferior Tobacco, and this could again hereafter be done, and the absent Merchant be, notwithstanding, defrauded and the Inspection and Inspector

Preamble.

Frauds of
Tobacco
Merchants.

* See Letter of the Directors 19 December, 1656. TR.

Purchase
and sale of
Virginia,
and

*New
Netherland
Tobacco*,
left free.

But, if
intended
for export-
ation, to be
inspected at
the Public
Store.

Tobacco
to be class-
ified into

*Virginia
Good, New
Netherland
Good.*

Merchant-
able.

be suspected, the Director General, Councillor and those they have assumed to them have, for the better information and security of the absent Merchant, and to save from censure the Inspection and Inspector, deemed it best to leave the purchase and receipt of the *Virginia* Tobacco free and unrestrained, according to the custom of our Fatherland, to the buyer and seller, as they shall agree together in regard to the quality of the Tobacco and the value of the wares to be exchanged for it, the same rule to apply to the *New Netherland* Tobacco, in case parties can agree together on the delivery thereof. But if they wish to export it to *Holland*, then the one as well the other will have to be examined and inspected by a proper, trustworthy and sworn person, in or in front of the Company's store, before it is embarked or shipped. And although the Inspector cannot judge, much less know at what price the Tobacco is bought or received, or at what price it is brought into account with the principals, yet he can judge of the comparative quality and grades of goodness. It is, therefore, as already stated, thought best and most proper, provisionally until further advised and instructed by the Hon^{ble} Directors, for the better information and security of the absent Merchant, that three sorts, or distinctions of Tobacco be made by the Inspector, and inspected and marked in this manner, to wit:

The first sorts or Hogsheads:

V. G. which shall signify *Virginia Good*; or

N. G. which shall signify *New Netherland Good*.

The next qualities:

V. M. or N. M. and shall signify *Virginia* or *New Netherland Merchantable* Tobacco.

The third quality :

V. S. or N. S. and shall signify *Virginia* or *New* Or *Poor*.
Netherland Poor Tobacco.

The last quality which may not come up to *Poor*, shall be marked with a cipher, or 0, and shall not be embarked, or exported except on the Shipper's own account, on condition that, before shipping here, he give sufficient security for the ship's freight and other charges, if it happen, as is reported, that such condemned Tobacco might not realize in Fatherland the freight and other charges.

Tobacco inferior in quality to *Poor*, not to be exported until security be given for payment of freight and charges.

In order to prevent further loss to the Skippers or Merchants, and to protect the Hon^{ble} Company's store from blame, also to give still more light both to the Directors and Merchants, it is further resolved and Ordained that, as the shipped Tobacco is inspected and marked according to the decision of the Inspector, even so shall it be specified and designated in the Bills of Lading and Invoices by the Inspector's brands, in addition to the Merchant's marks ; and all this until further and better Regulation, as circumstances and experience shall require.

Exported Tobacco to be designated in Bills of Lading by the Inspector's marks.

Meanwhile, are all persons preadmonished and warned not to ship any *Virginia*, or *New Netherland* Tobacco before and until the same be examined, inspected and marked or branded, in accordance with the tenor hereof, by the Inspector to be appointed and sworn for that purpose, on pain of forfeiting one pound Flemish for every Hogshead, to be paid as well by the Merchant who shipped it, as by the Skipper who received it.

Virginia and *New Netherland*, Tobacco not to be shipped until inspected and marked.

Penalty.

Thus done, in the meeting of the Hon^{ble} Director General and Council, holden in *Fort Amsterdam*, in *New Netherland*, the 30 March, A° 1657.

ORDINANCE

Of the Director General and Council of New Netherland renewing the laws for the better Observance of the Sabbath; against selling Liquor to Indians, and Smuggling; prescribing the Anchorage ground in the port of New Amsterdam; providing for the safe delivery of Letters, and prohibiting Fast driving through the Streets, *Passed 12 June, 1657.*

[N. Y. Col. MSS. VIII. 601; XVI. 112.]

THE Director General and Council of *New Netherland,*

To all those who see or hear these Presents,
Greeting.

Preamble.

WHEREAS it is seen and found by experience, that our previously enacted and frequently renewed Ordinances and Edicts against the desecration of the Lord's Sabbath; against Tapping and sitting of Clubs after the ringing of the evening Bell at nine o'clock; against the sale of Strong drink, either Wine, Beer or distilled Liquors to Indians in houses, or out of Yachts, Barks, Sloops, Canoes, or on shore along the Rivers; against exporting or importing divers merchandises, either out of or into this Province, without these having been duly entered, whence arise considerable frauds and smuggling; against anchoring, discharging or loading of any Ships, Yachts or Barks, beyond the gates and walls of this City, and the Hand erected for that purpose, and leaving the Ship and going on board after sunset and before sunrise; against driving and galloping with Wagons, Carts or Sleighs, have all, and many other well meant enacted and repeatedly renewed Placards, by lapse of time, fallen into desuetude and oblivion; yea, are not observed and obeyed according to the tenor thereof. Therefore, the Director General and Council aforesaid, again comprehending the necessity of them, hereby Ordain, command and renew:

First, that no person, of what rank or nation he may be, shall, within this Province, on the Sabbath, or Lord's Day of Rest, by us commonly called Sunday, or during Divine service, entertain any company, or be allowed to buy, sell, give or receive, directly or indirectly, under what pretext soever, any Wine, Beer, or Strong drink in any Tavern, or perform or carry on any handicraft or business, much less go or ride for pleasure in Boats, Carts or Wagons, on the penalty and fine heretofore affixed thereto, and last renewed and here proclaimed in front of the City Hall, on the 26 October, A° 1656.

No person to entertain company, sell Liquor, perform any labor, transact business, or go on pleasure parties on Sundays or during Divine Service

Penalty.

Secondly, no person shall, directly or indirectly, within this Province under any pretext whatsoever, sell, give, or present to any Indians any Wine, Beer, or strong drink, either on land or water, from Houses, Yachts, Barks, Boats or Canoes; which, that it may be the better prevented, no person shall be permitted, in accordance with the previously enacted and renewed Ordinance, dated as aforesaid, to wit, 26 October, A° 1656, to embark, or take with him any Wine, Beer, or Strong drink, in any Barks, Boats or Canoes, not even for his own provision, unless he have previously entered the same with the Officer of the place where he embarked it, and that, in its true quantity and quality, on pain of forfeiting what is smuggled, and five times the value thereof, he remaining bound to exhibit, on his return, a receipt of delivery of the entered and embarked liquors, agreeably to the Ordinance thereupon published and renewed as aforesaid, dated 26 October, A° 1656.

No Liquor to be sold, directly or indirectly, to Indians.

Wines and other Liquors taken on board Vessels, to be entered.

Penalty.

Parties to exhibit proper receipt for Liquors delivered.

Thirdly, the Director General and Council hereby renew, Ordain and command, that no person shall ship or embark, much less carry out of or within this Province, any Goods or Merchandises, of what nature soever they may be, without entering the true quantity and quality thereof, and having them inspected

No Goods to be shipped or exported unless previously entered and

Inspected.

Imported Goods to be entered.	<p>according to the entry by the Fiscal, Searcher, or some other servant of the Director General and Council, appointed, or hereafter to be appointed, for that purpose. In like manner, also, no Goods or Merchandises, coming from without here or elsewhere within this Province, shall be discharged, unless their true quantity and quality have been previously entered, on pain of forfeiting the concealed Goods. In case the non-entered or concealed Goods are found to be contraband, five times the value in addition. In order to prevent all plea of ignorance, the Director General and Council superabundantly warn every one that, in obedience to superior orders, for the purpose of discovering fraud and smuggling, they will exercise, and cause to be exercised, stricter care and attention in the premises, in the searching and examining of Ships, Barks and Yachts, both at this place and also on the way sailing up and down the rivers, when and where they shall think proper, and the opportunity shall present itself.</p>
Penalty.	
Strict search of Ships and other Vessels to be instituted.	
Roadstead of <i>Nieu Amsterdam</i> ,	<p>Fourthly, the Director General and Council renew and ordain that the ordinary Roadstead and Anchoring ground for all Ships, Yachts, Ketches, Sloops, Barks, &c., shall, on the East river between the Hand [signpost] and the <i>Capske</i>; on the North river, in front of and about the <i>Beaverspath</i>; at which Roadstead and Anchorage all Ships, Yachts, Ketches, Sloops and Barks, weather, wind and tide permitting, shall come to anchor and remain lying there during their unloading and loading, without directly or indirectly discharging or taking on board any goods beyond the gates of this city; and that by daylight, between sunrise and sunset, before and after which no Goods or Merchandises shall be discharged or taken on board, or any Boats or Scows go or leave the Vessel, except by special permission, upon the fine formerly enacted therefor.</p>
On the East river, and On the North river.	
No Goods to be taken on board or discharged beyond the City gates, or between Sunset and Sunrise,	
Except by special permis.	

Fifthly, the Director General and Council renew and ordain that no person shall, on the arrival of any Ships, whether from Fatherland or elsewhere, attempt to go on board at their first coming into port, either while yet under sail or lying at anchor, before or until the Fiscal or some officer of the Director General and Council has been on board, and the Letters received and delivered to the Hon^{ble} General, on the penalty of Twenty-five guilders. And, whereas by such unseasonable boarding and delivering of Letters, many mistakes occur and many complaints are made that Letters and Invoices are lost, the Director General and Council ordain that neither the Skippers nor the Supercargoes shall deliver any Letters except such as belong to the Director General and Council, to any person, before and until a proper list is made of the Letters brought with them whether at sea or in port, in order to be sent according to said list to the right man or owner. For the trouble of making out the list and numbering, the Ship's supercargo may demand and receive three stivers for each letter.

No person to board Vessels on arriving, until visited by a government officer and the letters delivered to the Director General.

Penalty.

Letters for Merchants and private persons not to be delivered until a list thereof be made.

Fee for making out the list.

Sixthly, and for this time lastly, the Director General and Council ordain that no person shall gallop or race within the gates and walls of this City with any Wagon, Cart or Sleigh, and no Driver shall sit on such Wagons, Carts or Sleighs whether drawn by Oxen or Horses, but walk alongside the same, and if he shall be caught and found sitting or standing thereon he shall pay a fine of One pound Flemish, and be interdicted six weeks from using such Wagon, Cart, or Sleigh and the draft cattle thereof.

Fast driving within the City walls prohibited

Drivers of Wagons, &c. to walk alongside their Vehicles.

Penalty.

In order that all this may be the better known practiced and obeyed, and that no person may plead ignorance henceforth in the premises, the Director General and Council hereby order and command that these presents shall be published and posted every-

where that publication is usually made, and observed and executed without any favor or respect of persons, as we find such to be for the good of the Country, and for the welfare and greater tranquillity of the good Inhabitants,

Thus done and renewed in the Council holden in *Fort Amsterdam in New Netherland*, the 12 June, A° 1657.

Published and posted on the 13 June

ORDINANCE

Of the Director General and Council of New Netherland for the more effectual prevention of Smuggling. *Passed 12 August, 1657.*

[N. Y. Col. MSS. XVI. 117.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

Preamble.

WHEREAS it is found more and more every day that great Frauds and Smuggling are committed and perpetrated by the importation of divers Merchandises under the name and cloak of Sailors' freight, whereby not only the Hon^{ble} Company is curtailed in its account; the Farmer defrauded in his leased Excise, inasmuch as such imported goods are most times sold under hand in a clandestine manner; the general Merchants who pay the regular Duties, are injured in their trade, for they cannot with their goods compete against such imported and smuggled articles; but also the owners and freighters of such ships are themselves wronged out of a great part of their freight money, as it is confidently presumed and believed that the greater part of such smuggled Goods are embarked without their knowledge or consent.

Director General and Council of *New Nether-*
land wishing to provide herein, hereby order all
 rs, Ship's Officers and Sailors not to bring
 them any goods or merchandises, under the
 of Sailors' freight, without exhibiting here a
 list thereof signed in Fatherland, and in all
 not to exceed two months' wages, which must
 on the invoice, on pain of forfeiting the
 ed and unentered Merchandise or Goods. Let
 me be warned against loss.

List of
 Sailors'
 freight to be
 entered on
 the invoice.

Not to
 exceed two
 months'
 wages.

Penalty

done in the Assembly of the Hon^{ble} Director
 and Council holden in *Fort Amsterdam*, in
Netherland, the 12 August, A° 1657.

- The Directors at *Amsterdam*, wrote, on 29 December, 1657,
 rector and Council, on the above Ordinance, as follows :

altering and curtailing somewhat the Edict you have drawn
 subject [of Smuggling], we have approved the same in the
 you will notice in the printed Copies which shall be sent you
 slips now lying ready to sail, and which you can then have
 , and cause the Contraveners to be proceeded against without
 istance, according to the tenor thereof." *N. Y. Col. MSS.*

ain on 13 February, 1659 :

and you herewith also, some printed copies of the Ordinance,
 by your Honors against the excesses of Smuggling, which
 trated under the name of Sailors' freight, so that every one
 warned to regulate himself accordingly, and not plead igno-
N. Y. Col. MSS. XIII. 1. Tr.

ORDINANCE

Of the Director General and Council of New Netherland against exporting Goods without a Permit. *Passed 24 August, 1657.*

[N. Y. Col. MSS. XVI. 118.]

Preamble.

WHEREAS the Director General and Council of *New Netherland* are informed and learn, that the Ordinances and Edicts heretofore enacted and frequently renewed against the bringing on board and embarking of Goods and Merchandises without the knowledge of the Fiscal or his deputy, are not observed as they ought to be, whereby the Hon^{ble} Company is subjected to serious loss of revenue, wherein, then, it is necessary to provide, Therefore, the Director General and Council of *New Netherland* hereby Order that the abovementioned Ordinances and Edicts be held in stricter observance, and, further, that no man, of what condition soever he may be, shall attempt to load any Goods or Merchandises, however named, in any Barges, Boats, Scows or other Craft, in order to transport them on board of the return ships or any other vessels, before and until the same are duly entered with the Fiscal or his substitute, and a permit to load them be obtained, on pain of the confiscation of such goods as shall be found shipped without a proper permit. Let every one be warned hereby and take heed against loss.

Former Ordinances to be more strictly enforced.

Goods not to be conveyed on board ship, until entered, and a permit obtained.

Penalty.

Done, *Fort Amsterdam* in *New Netherland*, the 24 August, A° 1657.

ORDINANCE

Director General and Council of New Netherland further
regulating the Currency. *Passed 29 November, 1657.*

[N. Y. Col. MSS. XVI. 119.]

Director General and Council of *New Nether-*

ll those who shall hear these presents read,
g, make known.

whereas, both by their own experience and Preamble.
ifold complaints of Inhabitants and Strangers,
e sufficiently, to their sorrow, daily informed
portuned respecting the great, excessive and
ible high prices of necessary commodities and
old articles, arising, among other causes, prin-
from the high price, far beyond their value, of
and other Peltries in this Country, in conse-
of the abundance of Wampum, which has run
0, 11 and 12 guilders for one Beaver. And Deprecia-
tion of
Wampum.
im being still, for want of struck or stamped
ie most general Currency between Man and
id Buyer and Seller, the prices of household
dities and common daily necessities range
ng to that rate, and are from time to time
the rather as 30, 40, yea, sometimes 50 per
fference is made not only by the Merchants,
and wholesale Traders, but also, consequently,
Shopkeepers, Tradespeople, Brewers, Bakers,
keepers, Grocers and others, if they work and
ds for Beaver or Wampum. This, then, creates
rable confusion on the one hand, and causes,
other, great burdens, loss and damage as well
majority of the Inhabitants as to the Company
Servants, insomuch that, by reason of the
id inordinate and excessive prices of necessa-
e Superior and Inferior Magistrates of this
e are blamed and accused both by Strangers

and Residents; the Country in general has received a bad name, some greedy people not hesitating to sell even the most necessary supplies, articles of food and drink, according to their insatiable covetousness, at intolerable prices for Wampum, to wit :

Prices of
necessaries.

The can of poor Vinegar,	@ 24 stivers.
" " " Oil,	3 @ 4 guilders.
" " " French Wine, ...	40 @ 45 stivers.
Two quarts of home brewed Beer,	12 stivers.
A tun of small Beer,	8 guilders.
A tun of strong Beer,	24 guilders.
A pair of Coarse Feroese Stockings,	4 guilders.
A pair of Shoes,	6 @ 7 guilders.

and all other necessaries in proportion. Which high prices are generally excused on the ground that 30, 40 @ 50 per cent is lost on the Wampum before it can be traded off for Beaver.

Wampum
declared to
be Mer-
chandise.

The Director General and Council aforesaid, wishing to provide and to introduce some better order herein, as far as possible, for the advantage of all in general and in particular, have not been able to discover, after much serious consideration and advice, even of the Lords Patroons themselves, any better expedient than to declare Wampum in trade an absolute merchandise, to buy, barter, sell and rebarter it at wholesale, according to the value and quality thereof. But inasmuch as Wampum, for want of Gold and Silver Coin, as already stated, must still serve as smaller change for daily necessities between Man and Man, Buyer and Seller, the Director General and Council have judged it necessary to reduce, at the general Counting House, the Wampum due the Company for Rents or other outstanding debts to, and also, consequently, to keep, receive and pay it out at Beaver value, the Beaver being reckoned still, and until further advised from Fatherland, at 8 guilders; therefore, fixing and reducing the Wampum at the general

Price of
Beaver.

Counting House, provisionally, from six to eight White for one stiver, and from three to four Black Beads for one stiver, at which rate Wampum shall be received and paid out, after the publication and posting hereof, at the general Counting House, without any distinction of persons; provided that the Wares, labor or services charged to the Company shall be computed according to the value so much lower, at least not higher, than the price of Beaver. If, on the other hand, the Receivers are willing to continue the old rate, the Director General and Council resolve and ordain that the Company, or its servants on its part, can then agree respecting the quantity or portion of Wampum, as it is ordinarily current.

Rate
at which
Wampum
is to be
received
and dis-
bursed by
govern-
ment.

Proviso.

Further, in order to cause the least disturbance and loss among the Inhabitants, who may have in their possession a large quantity of Wampum, and as Wampum is esteemed, in the matter of Commerce, an absolute commodity, as already stated, the Director General and Council do not intend, by this reduction of the Wampum at the general Counting House, any alteration or impairing of any private Contracts, Agreements or sales of Merchandise heretofore made or hereafter to be made between Man and Man, Buyer and Seller; but in order to prevent all exception and complaint that no notice or warning had been given, which may be set up or pretended by one debtor or another at the Company's Counting House, the Director General and Council hereby give notice, that, although the payment at the Company's Counting House is made to the creditors in manner as aforesaid, according to this reduction, immediately after the publication hereof, the debtors to the Company's Counting House may pay six White and three Black Beads for one stiver, for the space of three consecutive months, but if they make no payment in that time, the Director General and Council give

Law not to
affect pri-
vate con-
tracts.

Privilege
to public
debtors
who pay
within three
months.

After which
time, pay-
ments must
be made at
the rate
herein
before pro-
vided.

notice and Ordain that after the expiration of three months, all payments which must be made at the Company's Counting House in Wampum, shall be made in conformity to this enacted Ordinance.

Thus done and published in *Fort Amsterdam* in *New Netherland*, the 29 November, A° 1657.

NOTE.—1658, October 9. An order in Council was this day issued declaring that Wampum, in settlements between Man and Man, shall pass at Eight White and Four Black beads for one stiver, on condition that six weeks be allowed to Debtors to pay outstanding debts which may and must be paid in Wampum; but if such Debts are not satisfied within that time, then Debtors shall pay, instead of six, Eight White, and in place of three, Four Black beads for one stiver. N. Y. Col. MSS. VIII. 1002. TR.

ORDINANCE

Of the Director General and Council of New Netherland, against receiving Goods in Pawn for Liquor. *Passed 3 December, 1657.*

[N. Y. Doc. Hist. I: 635.]

Goods not
to be taken
in pawn for
Liquor.
Penalty.

No man may take anything in pawn for Liquors, on pain of restoring the Goods, and paying in addition 25 guilders for the first offense, 50 guilders for the second, and double for the third offense, and also to be deprived of his license and to have his business stopped.

ORDINANCE

Of the Director General and Council of New Netherland annulling fraudulent Sales of Mortgaged Lands on the South river. *Passed 15 December, 1657.*

[N. Y. Col. MSS. XVI. 122.]

WHEREAS the Director General and Council of *New Netherland* are informed and importuned by petitions of divers merchants and Inhabitants both of the City of *Amsterdam* and of the Village of *Beverwyck*, that they had long since advanced to various Inhabitants at the *South river* in *New Netherland*, residing at that time in the neighborhood of the former forts, *Nassau* and *Casimir*, divers Cargoes for the payment whereof the greater portion of the Inhabitants aforesaid have hypothecated and pledged by Mortgage their Lands, Houses, Lots and other Real estate, which Lands, Houses and Lots (as the Creditors have credibly informed the Director General and Council) the aforesaid debtors have, on the establishment of the Colonie of *New Amstel*, endeavored, to their Creditors' wrong, to sell, alienate and to transport to one and another of the Colonie's colonists aforesaid, which is directly contrary to all Laws, Statutes and Equity; such sale and conveyance made without the previous knowledge of the Creditors and contrary to the executed Mortgages are hereby declared null and void, and the purchasers are warned that they have not to pay the same without notice thereof be first made in due form, on pain of being obliged to pay it once again to the Creditors on the older Bond or Mortgage, authorized thereto either preferentially or concurrently.

Preamble.

Sales of Mortgaged Lands on the *South river* made without the knowledge of Creditors, declared null and void and payment of purchase-money enjoined.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland* 15 December, 1657.

ORDINANCE

Of the Director General and Council of New Netherland for the more effectual and speedy removal of Thatched Roofs, Wooden Chimneys and Hay-stacks from New Amsterdam, and for providing that City with Fire-buckets, Hooks and Ladders. *Passed 15 December, 1657.*

[N. Y. Col. MSS. XVI. 123.]

THE Director General and Council of *New Netherland*,

To all those who see these Presents or hear them read, Greeting, make known.

Preamble.

That they, to prevent the calamity of Fire, did long ago condemn thatched Roofs and Wooden and plastered Chimneys within this City, and to that end appointed Firewardens and Inspectors, which By-law and Ordinance, the Director General and Council aforesaid, have often published and renewed, but, it has, hitherto, been carelessly or obstinately neglected by many Inhabitants, because the fine or penalty affixed thereto is either entirely too small, or the penalty is not enforced as it ought to be; by which negligence now and again divers calamities and accidents have been caused and are still to be apprehended from Fire; Yea, a total ruin of this City, inasmuch as it daily begins to be compactly built, so that provision must absolutely be made therein; to which end, the Director General and Council aforesaid, have deemed it proper and necessary not only to renew their previously enacted By-law and Edicts, but also to amplify the same, and to increase the penalty thereof and to put it promptly into execution.

Former Ordinances renewed.

Thatched roofs, Wooden chimneys and Hay-ricks in New Amsterdam to be removed within four months.

Penalty.

Therefore the Director General and Council do Ordain, that all Thatched roofs and Wooden chimneys, Hay-ricks and Hay-stacks within this City, shall be broken up and removed within the time of four consecutive months after the publication hereof, under a fine of 50 guilders to be forfeited every

month, and to be promptly put in execution for every House whether small or large, Hay-rick or Hay-stack or wooden Chimney, Hen-houses and Hog-pens included, that may be found within the walls of this city at the expiration of the aforesaid four months;* the fine to be applied one-third for the Officer who shall levy execution; the two other third parts for the behoof of this City. If in the meanwhile any Fire should break out in any such Chimneys or Houses, a quadruple Fire penalty, to wit, One Hundred guilders, shall be paid, to be applied according to the above enacted Edict.

Hen-houses
and Hog-
pens
included.

Fines,
how to be
applied.

Fine quad-
rupled in
certain
cases.

Further, whereas in all well ordered Cities and Towns it is customary that Fire-buckets, Ladders and Hooks be found provided about the corners of streets and in Public houses, in order to be the better prepared in time of need, which is more necessary here than elsewhere, because, for want of stone, many Wooden Houses are built within this City, the one adjoining the other; Therefore, the Director General and Council Order and authorize the Burgomasters of this City, that they, of themselves, or by their Treasurer, shall at once promptly demand, collect or cause to be collected, from each house, whether large or small, One beaver or eight guilders in Wampum, according to the rate at the Counting House, in order, with the proceeds thereof, to send, by the first opportunity, to Fatherland for one hundred to 150 leather Fire-buckets, and for the balance to have some Fire-ladders and Fire-hooks immediately made, and, further, once a year, from each Chimney, one guilder for a supplement and repairs thereof.

For want
of Stone,
many
houses are
built of
Wood.

Tax
imposed on
houses, for
the purchase
of Fire-
buckets,
Hooks and
Ladders,
and

Tax on
chimneys
for repair-
ing the
same.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Neth-*

* By a Resolution of the Director General and Council, the above time was extended two months from the 16th April, 1658. *N. Y. Col. MSS. VIII. 834. Tr.*

erland, the 15 December, A° 1657. Published at the date.

ORDINANCE

Of the Director General and Council of New Netherland against Street broils and Fights in New Amsterdam. *Passed 15 December, 1657.*

[N. Y. Col. MSS. XVI. 125.]

Preamble.

WHEREAS the Director General and Council of *New Netherland* observe daily to their sorrow, that their previously issued Ordinance enacted on the subject of quarreling, fighting, beating and smiting, is not according to their good intent and meaning complied with, observed and obeyed as it ought to be, but despised and violated for a mere word by some quarrelsome persons, because of the small fine imposed by the aforesaid Ordinance, which is sufficiently manifest as some persons have not even hesitated to say in the officer's presence: 'Tis only a matter of one pound Flemish in Wampum; Being desirous to provide herein, in order to hinder and prevent further mischiefs which usually follow such fights, therefore the Director General and Council aforesaid do hereby most expressly interdict and forbid any Street broils or Quarrels, much less Beating or Striking one another, since these can excite only provocations, mischiefs, yea, murders; on pain of paying by the transgressors and violators hereof, as a fine for a simple blow of a fist, Twenty-five guilders, and in case blood shall follow, four times as much, and if such happen in the presence of the Officer, Burgomaster or Schepen, a double fine, to be applied as that behooves. Let such person be warned hereby and take heed of damage.

Fighting and Assaults prohibited.

Penalty for a blow.

Penalty in case blood be drawn.

Penalty for an Assault in presence of a City Magistrate.

Amsterdam in New Netherland, 15 December, A° 1657.

ORDINANCE

the Director General and Council of New Netherland for Appraising and Assessing vacant Lots in New Amsterdam. *Passed 15 January, 1658.*

[N. Y. Col. MSS. VIII. 645; XVI. 126.]

THE Director General and Council of *New Nether-* Preamble.
nd, seeing and observing by daily experience that
 e previous Ordinances and Edicts are not obeyed
 cording to the true meaning thereof, but, notwith-
 anding the repeated renewal of them; that many
 acious and large Lots, even in the best and most
 nvenient part of this City, lie and remain with-
 it Buildings and are kept by the owners either for
 eater profit, or for pleasure, and others are thereby
 evented to build for the promotion of population
 id increase of Trade and consumption, as well as
 r the embellishment of this City, whereunto many
 w comers would be encouraged in case they could
 ocure a Lot at a reasonable price on a suitable
 cation, agreeably to the foregoing Edicts. Which
 glect, if not contempt thereof, in reserving and
 taining such extensive and spacious Lots, whether
 r profit or for pleasure, is owing principally to the
 ct that no penalty, fine or amende is imposed by
 e forementioned Edicts, and that the proprietary
 vners are, for a great many years, occupying and
 serving the Lots free of any Tax in expectation
 greater profit, or using them for pleasure, as
 orchards and Gardens, whereby Building and Popu-
 tion, and consequently the advancement of Com-
 merce, consumption and the prosperity of this City
 e retarded, contrary to the good intent and mean-
 g of Mess^{rs} the Directors of the Incorporated
 est India Company, Lords and Patroons of this
 rovince, as first grantors and distributors of the
 ots with a view, to have the same built on for

the embellishment, peopling, increase of the Inhabitants, Trade, Consumption and Prosperity of this City, as expressed in the granted Patents, with the additional stipulation and submission:—Of such Taxes as may be imposed thereon by the aforesaid Lords or their Agents. In observance and obedience whereof the Director General and Council aforesaid have lately caused the vacant and unimproved Lots to be measured by their sworn Surveyor in the presence of the Burgomasters of this City, according to the Survey of the Streets, and found some hundreds of Lots inside the walls of this City vacant and not built on.

In order that these may be the sooner built on, in accordance with the good intention and meaning of the aforesaid Directors, agreeably to the previously enacted Ordinances, yea, that the disorder arising from the possession, free of any Tax, of such spacious and extensive Lots for profit or pleasure, may be prevented, and those who are inclined to build may be accommodated with Lots at a reasonable price, the Director General and Council hereby Ordain, in amplification of the abovementioned Edicts, that all vacant and unbuilt on Lots which were lately measured and laid out by the Surveyor of the Director General and Council, be immediately after the publication and posting hereof, assessed and appraised, first and foremost by the owners in possession, themselves, to the end that they may not hereafter complain of under valuation, and that so long as the owner retains the Lot or Lots, or allows them to remain without proper and habitable houses built thereon, he shall pay for the same yearly the 15th penny in two installments, the one half on May day; the proceeds to be applied to the fortification of this City and the repairs thereof.

Vacant
Lots in
New Amsterdam
to be
appraised,

First by the
Owners,

Who shall
pay the 15th
penny
of the value
thereof.

Tax, how to
be applied.

And the Burgomasters are authorized and ordered after the publication hereof, to summon the Owners of the Lots without regard of persons before them at the Town hall of this City; to cause the Assessment to be made; to have it recorded by their Secretary in due form, and to have the proceeds received by their Treasurer, and in case of opposition or refusal, to fine the obstinate person civilly; to appraise his Lots according to the value and the situation of the locality, on condition that it be left to the choice of the owner in possession to retain the Lots appraised by the Burgomasters on payment, as stated, of the 15th penny thereof, or otherwise to give them up for that price to the Burgomasters for the benefit of the City.

Burgomasters to summon Owners of Lots before them;

To have the assessment made and enrolled and proceeds of Tax paid to the Treasurer.

In case of opposition, party to be fined, his lot appraised, and the owner to be allowed the option of paying the Tax, or surrendering the property to the City at the appraised Value.

It remains in like manner, on the other hand, at the option of the Burgomasters aforesaid, to take the Lots appraised by the owner himself, for the account of the City, and to convey them to others who are disposed and ready to build, at that price, if the owner himself will not, or cannot build in conformity to the aforesaid Edicts, or to leave them to the owner until they are built on by themselves or others, when the Impost or Tax imposed for valid reasons on the unimproved Lots, shall cease. And in order to promote the population, settlement, beauty, strength and prosperity of this City, the Director General and Council Ordain and command that, from this time forward, no Dwelling-houses shall be built near or under the Walls or Gates of this City, before or until the Lots herein mentioned are properly built on.

Burgomasters empowered to take Lots at the Owners' Valuation, and to convey them to others, if the proprietors cannot or will not improve them.

Tax to cease when Lots are built on.

No Dwelling-houses to be built near or under the City Walls or Gates.

Thus done in the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, the 15 January, A° 1658.

ORDINANCE

Of the Director General and Council of New Netherland to oblige parties to Marry after the publication of their Bans. *Passed 15 January, 1658.*

[N. Y. Col. MSS. VIII. 647; XVI. 129.]

Preamble.

WHEREAS the Director General and Council of *New Netherland* not only are informed, but have even seen and remarked, that some persons, after the proclamation and publication, for the third time, of their Bans or Intentions of Marriage, do not proceed further with the solemnization of their Marriage as they ought, but postpone it from time to time, not only weeks, but some months, which is directly contrary to, and in contravention of the good order and custom of our Fatherland, wherein being willing to provide, in order to prevent the mischiefs and irregularities which will flow therefrom ;

Persons whose Bans have been published, shall have their Marriages solemnized within one month after, or show cause to the contrary.

Penalty.

Therefore the Director General and Council aforesaid do hereby Ordain that all published persons, after three Proclamations have been made and no lawful impediment occurs, shall cause their Marriages to be solemnized within one month at furthest, after the last Proclamation, or within that time, appear and show cause where they ought, for refusing ; and that on pain of forfeiting Ten guilders for the first week after the expiration of the aforesaid month, and for the succeeding weeks 20 guilders for each week, until they have made known the reasons for refusing.

No Man and Woman to live together as married persons, unless they are married.
Penalty.

Furthermore, no Man and Woman shall be at liberty to keep house as married persons, before and until they are lawfully married, on pain of forfeiting One hundred guilders, more or less, as their quality shall be found to warrant, and all such persons may be amerced anew therefor every month by the Officer.

according to the order and the custom of our Fatherland.

Thus done in Council holden in *Fort Amsterdam* in *New Netherland*, the 15 January, A° 1658.

ORDINANCE

Of the Director General and Council of New Netherland regulating the Duties and Fees of Notaries and other Officers. *Passed 25 January, 1658.*

[N. Y. Col. MSS. VIII. 681; XVI. 130.]

WHEREAS the Director General and Council of *New Netherland* are sufficiently convinced, as well by their own experience, even, by several Bills of costs, exhibited before them, as by the remonstrances and complaints of others presented to them, of the exactions of Secretaries, Notaries, Clerks and other commissioned persons, in suing and prosecuting contending parties; of the excessively great Fees and charges for writing of almost all sorts of Instruments, to the serious, yea nearly intolerable, onerousness of the Judgment and Costs of court; some being so far seized by avarice and greed that they are ashamed to render a Bill, or specification of the Fee they demand, but ask, if not extort, the amount from parties in gross; the Director General and Council aforesaid, being desirous to provide therein for the better and more supportable promotion of Justice, do hereby Ordain, enact and command,

That from this time forward, no man shall undertake to draw up or to write any public Instrument, unless he be commissioned or licensed thereto by the Director General and Council, as Secretary, Notary or Clerk, which commissioned or licensed person is bound to content himself with such Fee as is established therefor by the Director General and Council, and to renew every year, on the 5th of February, the

No person
to draw up
Legal writ-
ings unless
commissioned or
licensed.

Such
licensed
person to
take only
the legal
fee.

And annually to swear obedience to the Law regulating his office;

oath which he hath taken, precisely to submit to and obey the Ordinance enacted, or hereafter, according to circumstances, to be enacted, on the subject of Secretaries, Notaries, Clerks and such like Officers, in conformity to the following :

To keep a Register of his official transactions; and

First, all Secretaries, Notaries, Clerks, or such officers, shall keep a correct Register or Journal, wherein people may see immediately, if necessary and when required, whatever has been executed before them, and for which they demand such Fee, and place it on their account.

Not take money in advance or presents for his services, or compound for future services,

Secondly, no Secretary, Notary, Clerk, or any such officer, shall demand from any person any money in advance, or ask or take any present, or be at liberty to compound or agree with anyone about a Fee and pay for writing yet to be earned, inasmuch as such composition and previous agreement, before final judgment, must redound to the injury of the succumbing party, in case he be condemned in the expenses and costs of Court; but the aforesaid Officers may receive their pay according to this Ordinance, either at any time before the execution of the Instrument, or at the end of the suit, on rendering proper account and specification of what they have written, what errands they have done, what they have performed or copied, without entering any extraordinary costs in gross, in such account or specification, but all according to the Fee allowed therefor; not being permitted either to demand or to exact any thing else or more from their Clients, on pain of forfeiture of office and Fifty guilders fine, by such a● may be found to have acted contrary hereunto.

But may receive the Fee before or after the suit, on rendering Bill of particulars.

Penalty.

Notary, or other licensed person to sign and seal all Instruments executed before him. Fee for seal.

Thirdly, the Secretary, Notary, Clerk or officer shall sign with his own hand all Instruments executed in his presence, and seal them, when required, with his signet, providing that he receive for his seal six stivers in addition to the legal Fee.

Fourthly, Secretaries, Notaries, Clerks and such like officers shall be bound, when required, to give a discharge or receipt for the earned and paid Fee, to be made use of when necessary.

To give receipt if required for Fees when paid.

Finally and lastly, all Secretaries, Notaries and Clerks shall be bound to serve the Poor and Indigent, who ask such as an Alms, gratis and *pro Deo*; and may demand and receive from the Rich, the following Fees :

To serve the Poor gratis.

For a simple Petition written on one side of the paper,	18 stivers.	Table of Fees.
If the petitioner desire to have it recorded or registered; for copying,	12 stivers.	
For a simple Summons, as above,	18 stivers.	
For an Answer, Reply or Rejoinder,	2 guilders.	
For engrossing; for copying,	24 stivers.	
But if the Answer, Reply, Rejoinder, Summons or Petition require more than one half sheet of Paper, for each page of 25 to 30 lines, 30 to 36 letters in a line, ..	30 stivers.	
For a Deduction; each half sheet of 26 to 30 lines, 30 to 36 letters in the line, ..	2 guilders.	
For a Petition in appeal to be presented to the Director General and Council,	2 guilders 10 stivers	
For a petition of Revision, Review, Purg- ing, Reduction,* Rehearing, Complaint, Pardon, or Liberty to return to the Country, to be presented to the Direc- tor General and Council,	2 guilders 10 stivers.	
If it happen to exceed the second or third page (lines and letters as before), per page,	24 stivers.	
For a petition of the same nature as above, to any Subaltern Court, .	36 @ 40 stivers.	

* Reduction is an appeal from the award of Arbitrators. Ta.

- Or per page (lines and letters as before), 20 stivers.
- For a Judgment, 30 stivers.
- For extracts from their Books (lines and letters as before) per page, 20 stivers.
- For a Contract, obligation, assignment, attestation, lease, or bill of sale, 30 stivers.
- For the Copy, 20 stivers.
- For a verbal Consultation on a case depending before the Director General and Council, 20 stivers.
- But the Notary is bound to enter in his Journal the time and subject.
- For an Inventory of documents to be furnished by parties, 15 stivers.
- For drawing up Interrogatories and entering the questions, per half page, 10 stivers.
- Provided that 7 @ 8 interrogatories stand on one page.
- For the Answer to be entered on the opposite side, in like manner, 10 stivers.
- For one day's journey with or without their Client, when required, exclusive of carriage hire and board, 4 guilders.
- But within the City, Village or place, accompanying their Client, when required, 20 stivers.
- For attending a term of Court, with or without their Client, 15 stivers.
- Neglecting to attend it, to pay default and damages thereof.

Disbursements for Drink, or other extraordinary expenses not to be allowed.

No disbursements for Drink, or any other extraordinary Presents, Gifts, or Gratuities shall be brought into any account, or demanded or collected by the Secretaries, Notaries, Clerks or such like officers.

And this and the foregoing Articles shall not only be published, posted and observed in all places within this *New Netherland* province, where publication is

usually made, but also read by the Fiscal, Schout and other Subaltern Magistrates privately in their respective Courts, before the Secretaries, Notaries, Clerks and such like, now and on the 5 February, not being Sunday, in every succeeding year, and thereupon the oath exacted from them to regulate themselves precisely in conformity thereto, and in case of refusal to be removed from their Office and place, with express prohibition neither directly nor indirectly to write any Instruments for any person under a penalty of 50 guilders for the first, twice as much for the second time, and an arbitrary correction at the discretion of the Judge for the third offense.

Law to be read in Court annually to Notaries, &c.

Who are thereupon to renew their oath of Office.

Penalty for refusing to renew oath.

Thus done at the Assembly of the Hon^{ble} Director General and Council of *New Netherland* holden, in *Fort Amsterdam* in *New Netherland*, the 25 January, A° 1658.

NOTE.—1658, *September 5*. By an Order in Council of this date, the Fees allowed by the above Ordinance to Notaries, are directed to be paid in Beaver or in Wampum, at the rate fixed at the General Counting house. *N. Y. Col. MSS. VIII. 966. TR.*

ORDINANCE

Of the States of Holland prohibiting certain Festivities.

NOTE.—It was the custom among the farmers of *Gelderland*, and the borders of the Rhine, to assemble at Shrovetide to "Pull the Goose." On such occasions a goose whose neck and head had been previously smeared with Oil or Soap, was fastened by a rope between two poles. Horsemen then entered the lists, and driving at full gallop, made an attempt to seize the prize. They would often miss their mark and fall to the ground. He who succeeded in bearing off the goose, was declared King of the festival. The custom existed also in some parts of *England*. *Vanderkemp*.

Origin of the Custom of Pulling the Goose.

It seems to have been first introduced into *New Netherland* in 1654. *Stuyvesant* pronounced it "an unprofitable, heathenish and Popish festival, and a pernicious custom," and prohibited it accordingly. Some Farmers, not having the fear of the Director General before them, celebrated the feast notwithstanding, and although the Burgomasters and Schepens of *New Amsterdam* remonstrated, the Farmers were fined, and some of them imprisoned in February of that year, "in order to prevent more sins, debaucheries, and calamities."

Custom introduced into *New Netherland*, and prohibited.

Burgomasters and Schepens remonstrate against the prohibition.

Permission
requested to
Pull the
Goose on
*Manhattan
Island*, and
refused.

Nothing further is found on the subject until the 26 February, 1658, when some Farmers and their servants on *Manhattan Island*, presented a petition to the Director General and Council, for leave to Pull the Goose. Permission was refused on the ground that the amusement was not only a violation of the Edict of the Mighty Lords the States of *Holland*, but also contrary to the Order of the Director General and Council of *New Netherland*.

The popularity of Shrovetide festivities seem, however, to have continued, notwithstanding the above prohibition; as will be seen by the following Petition of the Consistory of *Wildwyck*, a translation of which *Jonathan W. Hasbrouck, Esq.*, of *Kerhonksin, Ulster Co.*, has politely furnished.

[Esopus Records, I, 297.]

Petition or supplication of the Consistory to the Magistrates of this place.

The Consistory here, moved by their consciences and their duty as officers, petition the Magistrates of this place with all proper humility, that the public, sinful and scandalous Bacchanalian days of Shrovetide (descended from the Heathen from their idol Bacchus, the God of wine and drunkenness: being also a leaven of Papacy, which the apostel, 1 Cor. 5, has warned us to cast off), which are near at hand, may be prohibited in this place by proper Placards from you, that we, by its publication and reproof may eradicate this abomination, and thereby through the Grace and Blessings of God, we, each of us, may do the good which will come of it to this place, and the souls and bodies of its inhabitants, the more as we live in such sorrowful days of God's wrath upon us in this place for our sins. If people will still indulge in the pleasures of such scandalous sins as those of Shrovetide, they will more and more provoke God and bring His wrath on us again, for His rod is yet over us, and His punishment of war yet afflicts us; yea, and will thus yet further oppress this land and its inhabitants. Shall they then rollick in their sins while the whole land weeps, and make merry when we are every month called to sorrow, wailing and lamentation?

Therefore is it the desire of this Consistory that you may take the subject in hand and in heart, as servants of Christ's church and congregation, that through you, the vices and abomination of this newly founded Church may be averted; all to the honor of God, the edification of the congregation, and the happiness and good of this place. With this we end, in the mean while beseeching God to bless you in service and person.

In the name of the Consistory,

HERMANUS BLOM.

12 Feb., 1664, in *Wildwyck*.

Proclamations appointing days of Fasting, Prayer, and Thanksgiving were usually issued once a year. On such days, "all exercises and recreations of stool-ball, hunting, going a fishing, as also all unlawful sports, as gaming, dicing, carding, excess in drinking and such like during Divine Service," were prohibited on pain of arbitrary punishment and correction. Th.

ORDINANCE

Of the Director General and Council of New Netherland for establishing a New Village at the end of Manhattan Island. *Passed 4 March, 1658.*

[N. Y. Col. MSS. VIII. 751; XVI. 135.]

THE Director General and Council of *New Netherland* hereby give notice, that for the further promotion of Agriculture, for the security of this Island and the Cattle pasturing thereon, as well as for the greater recreation and amusement of this City of *Amsterdam* in *New Netherland*, they have resolved to form a New Village or Settlement at the end of the Island, and about the lands of *Jochem Pietersen*, deceased, and those which adjoin thereto. In order that the lovers of Agriculture may be encouraged thereto, the aforesaid proposed New Village is favored by the Director General and Council with the following Privileges:

Notice
given that

A New
Village or
Settlement
is to be
formed at
the end of
Manhattan
Island, with
the follow-
ing

Privileges.

First, each of the inhabitants thereof shall receive by lot, in full ownership 18, 20 @ 24 morgens of arable Land, 6 @ 8 morgens of Valley, and be exempt from Tenths for 15 years commencing next May, on condition that he pay within the course of three years, in installments, Eight guilders for each morgen of Tillage land for the behoof of the interested, or their creditors, who are now or formerly were driven from the aforesaid Lands, and have suffered great loss thereon.

Each
Settler to
receive a
certain
quantity
of Land,

On payment
of 8 guilders
per morgen,
for the
benefit of
those who
had been
driven off
those
Lands.

Inhabitants
to be pro-
tected

By a Military
force,
if neces-
sary, and
requested.

Secondly, in order to prevent similar damage from calamities or expulsions, the Director General and Council promise the Inhabitants of the aforesaid Village to protect and maintain them with all their Power, and, when notified and required, to assist them with 12 @ 15 Soldiers on the monthly pay of the Company, the Village providing quarters and rations; This whenever the Inhabitants may petition therefor.

An Inferior Court of Justice to be established, when the population amounts to 20 families.

Thirdly, when the aforesaid Village has 20 @ 25 Families, the Director General and Council will favor it with an Inferior Court of Justice ; and, for that purpose, a double number is to be nominated out of the most discreet and proper persons, for the first time by the Inhabitants and afterward by the Magistrates thereof, and presented annually to the Director General and Council, to elect a single number therefrom.

Magistrates, how to be nominated.

Minister to be furnished when 20 families have settled in the Village.

Fourthly, the Director General and Council promise to employ all possible means that the Inhabitants of the aforesaid Village, when it has the abovementioned number of Families, will be accommodated with a good, pious orthodox Minister, toward whose maintenance the Director General and Council promise to pay half the Salary; the other half to be supplied by the Inhabitants in the best and easiest manner, with the advice of the Magistrates of the aforesaid Village, at the most convenient time.

Minister's Salary to be paid one-half by the government and one-half by the Inhabitants.

Road to be constructed from New Amsterdam to the proposed Village.

Fifthly, the Director General and Council will assist the Inhabitants of the aforesaid Village, whenever it will best suit their convenience, to construct, with the Company's Negroes, a good wagon road from this place to the Village aforesaid, so that people can travel hither and thither on horseback and with a wagon.

No new Village to be established until the present proposed one is settled.

Sixthly, in order that the advancement of the aforesaid Village may be the sooner and better promoted, the Director General and Council have resolved and determined not to establish, or allow to be established, any new Villages or settlements before and until the aforesaid Village be brought into existence ; certainly not until the aforesaid number of Inhabitants is completed.

Ferry and a Cattle Market promised.

Sevently, for the better and greater promotion of neighborly correspondence with the English of the North, the Director General and Council will

at a more convenient time, authorize a Ferry and a suitable Scow near the aforesaid Village, in order to convey over Cattle and Horses, and favor the aforesaid Village with a Cattle and Horse Market.

Eighthly, whoever are inclined to settle themselves, or to take up Bouweries by servants there, shall be bound to enter their names at once or within a short time at the office of the Secretary of the Director General and Council, and to begin immediately with others to place on the land one able-bodied person provided with proper arms, or in default thereof to be deprived of his right.

Settlers
intending
to take up
Bouweries,
to enter
their names
at the Secre-
tary's office,
and to place
a man with
arms on the
land.

Thus done at the Assembly of the Director General and Council holden in *Fort Amsterdam* in *New Netherland* the 4 March, A° 1658.

ORDINANCE

Of the Director General and Council of New Netherland to prevent
Fraud in the shipping of Tobacco. *Passed 19 March, 1658.*

[N. Y. Col. MSS. VIII. 778.]

WHEREAS it is found by experience that the Hon^{ble} West India Company have been seriously defrauded of their Duties by some Merchants and Traders, who seek their own interest, who enter the quantity of their shipped Tobacco with the Fiscal only in gross, whereby smuggling cannot well be discovered, against which it is necessary to provide; Therefore, the Director General and Council of *New Netherland* do hereby give notice and Ordain, that all those who intend to send any casks of Tobacco to Fatherland, shall, before they ship them, not only report the number of casks to the Fiscal, but also specify how much each cask in such lot precisely weighs, in order that the Hon^{ble} Company may not any more be defrauded by such means.

Preamble.

Shippers of
Tobacco to
report the
number of
casks and
the weight
of each.

ORDINANCE

Of the Director General and Council of New Netherland for the better government of the Town of Flushing on Long Island. *Passed 26 March, 1658.*

[N. Y. Col. MSS. VIII. 791.]

Preamble.

THE Director General and Council of *New Netherland*, having examined and considered the seditious and mutinous Order and Resolution adopted and signed the 27th December, 1657, by the Schout, Clerk, Magistrates and the greater number of the Inhabitants of the Village of *Flushing*, and presented, a few days afterward, to the General himself, by *Tobias Feecque*, the Schout, by which Resolution of theirs they absolutely condemn, infringe, and oppose the well meant Order of the Director General and Council enacted against the Quakers and other sects, daring very plainly to state and say therein, that they cannot stretch out their hands against them, to punish, banish or to persecute or attack them; that they, as God shall persuade their consciences, will give every Sectary free ingress and egress into their Towns and houses, which, as before stated, contravening and opposing the Ordinance and Edicts of the Director General and Council, is a matter of very evil and dangerous consequence, trampling the authority of the Director General and Council absolutely under foot, and therefore richly deserves to be, as an example to others, corrected and punished by the annulment of the Privileges and Exemptions granted to the aforesaid Town from time to time, both by Patent of Director General *Kieft*, and by enlargement thereof by the present Director General and Council, and in addition, by corporal punishment and banishment of all those who have signed the aforesaid mutinous Resolution. But the Director General and Council, in the hope of greater prudence

in future, and being more inclined toward their subjects by mercy than rigorous justice, the rather, as they have inferred from the circumstances of the case, that many, nay, the most of them, were urged to subscribe by the previous signatures of the Schout, Clerk and some Magistrates, do therefore pardon, remit and forgive, the fault herein committed against the authority of the Director General and Council, and in their capacity, against the Supreme authority of the High and Mighty Lords States General of the *United Netherlands*, and of Mess^{rs} the Directors, Lords and Patroons of this Province of *New Netherland*.

Yet, in order that such and similar irregular disorders may in future be obviated and prevented, and their well intended Ordinance and Edict maintained and executed in a better manner, wherein, either through malice or from ignorance of the customs of our Fatherland, all the late Schouts successively have manifested no small negligence, the Director General and Council have therefore considered it highly necessary and proper, to qualify and commission henceforth as Schout, as well over the Town of *Flushing*, as in other Towns, a person better versed in the Dutch Practice, and somewhat conversant in both languages, the English and Dutch, on the Instruction heretofore given and hereafter to be enlarged, according as the circumstances of the aforesaid Town shall require. Meanwhile, they continue and qualify the Magistrates heretofore appointed to administer Law and Justice between Man and Man, pursuant to the Instruction heretofore given, and the senior Magistrate, as Schout, provisionally, until the Director and Council qualify another suitable person.

Further, in order to prevent in future the disorder which commonly arises from general Town-Meetings, or Village Assemblies, these being, besides, very prejudicial and hurtful to many in their daily busi-

Schout of *Flushing* to be well versed in the Dutch law and in the English and Dutch languages.

Magistrates heretofore appointed continued in Office.

Senior Magistrate to act as Schout.

Town-Meetings prohibited, unless by consent of the Director and Council

Seven
Townsmen
to be
chosen,

To act as
Counselors.

Their
Powers.

Magistrates
to inquire
for an ortho-
dox Minis-
ter,

ness, and very seldom productive of salutary and good result, the Director General and Council Ordain and command, that, from this time forth, no such Town-Meetings shall be convoked or held, unless for great and pregnant reasons, to be first and foremost communicated to the Director General and Council, by the Schout, or, in his absence, by some one of the Magistrates, and their advice and consent thereto be requested; but, instead of such Town-Meeting, seven persons shall, once and for all, be chosen and appointed out of the best, most reasonable and most respectable Inhabitants, who shall be called Tribunes* or Town's men, to be employed by the Schout and Magistrates as Counselors, on and about any Town matters, from whom, also, the Magistrates may adjoin to themselves one or more assistants, especially if they be too few, or if any of their Board be a party in a lawsuit; and whatever is resolved by the Schout, Magistrates, and the aforesaid seven Tribunes or Town's men, in regard to any affairs of the Town, such as, Fences, Bridges, Highways, &c., Schools, Churches, and other Public Buildings, all other Inhabitants shall promptly obey and observe, on pain of arbitrary correction.

Finally, the Director General and Council, perceiving, by lamentable experience, that, for want of a good, pious and orthodox Minister, of whom the aforesaid Town has been deprived now full 3 or 4 years and more, the Inhabitants have fallen, not only into a disregard of Divine Worship and profanation of the Sabbath of the Lord, but also into Heresy and indecent Licentiousness, the Director General and Council, therefore, Ordain and command, that the Schout, Magistrates and chosen Town's men, shall, on the first fitting opportunity which offers,

* This is a true copy of the Magistracy in the cities of Gelderland, but unknown in Holland. *Vanderkemp.*

look out and inquire for a good, honest, pious and Orthodox Minister, and, on finding one, notify the Director General and Council thereof, to the end that he may, in proper form and style, be called, inducted and confirmed in the aforesaid Town. In order that he may be the better encouraged in his calling and service, and provided with a decent and proper maintenance, the Director General and Council hereby Ordain and enact, that all Inhabitants of the aforesaid Town of *Flushing*, shall, within the space of six weeks from the date hereof, in conformity with their Patent, and according to the further Enlargement and Privileges granted to the Town aforesaid, on date 26 April, 1648, apply for and also receive, each for himself, a special Patent of the extent of the Lands and valleys which he occupies as proprietor, or is inclined to occupy as proprietor, and shall pay, for every Dutch morgen thereof, 12 stivers annually for the support of the Minister, and the Director General and Council promise to supply from the Tenths becoming due, whatever deficit may happen in that revenue, until the aforesaid Town shall, in the judgment and opinion of the Director and Council, contain a sufficient number of Inhabitants.

Who is to be called and inducted with the approbation of the Director and Council.

Inhabitants within six weeks

To take out patents for their respective Lands, and

Pay 12 stivers annually per morgen for the Minister's support.
Deficit of Salary to be paid from the Tenths.

In order that all the aforesaid, may be the better obeyed and executed, the Director General and Council Ordain and command, that all those who are not disposed to comply with, submit to, and obey, this Order of the Director General and Council, within the prefixed term of six weeks, shall dispose of their goods to the best advantage and depart out of this government. In like manner, also, all the good and well affected Inhabitants, who already are in the aforesaid Town or will hereafter come there, shall be bound to promise, over the signature of their names,

Persons refusing to contribute,

To sell their property and leave the Province.

Inhabitants to sign a pledge to comply with this regulation, on pain

of not being
admitted
as Towns-
people.

to obey and observe these presents, and in case of refusal shall not be admitted as Inhabitants.

Thus done, in the Meeting of the Director General and Council, holden in *Fort Amsterdam*, in *New Netherland*, the 26 March, A° 1658.

ORDINANCE

Of the Director General and Council of New Netherland renewing sundry Ordinances therein mentioned. *Passed 9 April, 1658.*

[N. Y. Col. MSS. XVI. 1.]

THE Director General and Council of *New Netherland*,

To all those who hear, see or read these Presents, Greeting, make known.

Preamble.

That divers Ordinances and Edicts have been from time to time enacted and published by them, tending to the preservation of good Government, order and the prevention of Smuggling; but, whereas, the greater part of these have, by connivance and non-execution by many, fallen into disrepute and desuetude, therefore the Director General and Council have considered it highly necessary to renew some of them, and as a warning to bring them again to the remembrance of their good subjects, as they do hereby, Ordaining and Commanding:

Ordinances renewed.

Not to tap on the Sabbath.

First, that no person shall, on the Sabbath of the Lord, during Divine service, directly or indirectly tap any Beer, Wine or Liquors, or sit in clubs; according to the Edicts of the last of *May*, 1647; 26 *September*, 1656, and 12 *June*, 1657.

Not to continue Drinking Clubs after 9 o'clock.

Secondly, also, that no one shall continue any Clubs in the evening after nine o'clock, when the Bell stops ringing, according to the aforesaid Edict, dated last of *May*, 1647.

Thirdly, that no person shall, directly or indirectly, sell or present any strong drink to the Indians; according to the Edicts dated 26 *September*, 1656, and 12 *June*, 1657.

To sell
no strong
Drink to
Indians.

Fourthly, that no person shall climb over any Gardens, Lands or Orchards, much less damage the Fruits thereof; take away the Clapboards or other Fences; also, that every one shall properly fence his Gardens, Lands, Orchards and Lots, which being done, and then suffering damage by anyone or any one's Cattle, such person to be corrected and punished therefor, according to the Edict of the first of *July*, 1647.

Not to
damage
Fences; to
keep them
closed.

Fifthly, that no person shall be allowed to convey any Goods or Merchandise from on board ship to the shore, or from shore to shipboard, much less export them, until they are first properly entered, inspected, and the customary Duties thereof paid; especially the Goods and Merchandises going to and coming from *Virginia*, *New England*, the *Carribean Islands*, and other places lying outside this our Government; all which must pay 10 per cent, according to custom and order.

No goods to
be conveyed
on shore or
on board
until the
Duties
thereof are
paid.

Sixthly, that no persons shall be at liberty to depart with any ships or barks without a proper Pass, and no Skippers or Boatmen shall carry away any persons without a pass, under the penalty of the Edict issued on the 4 *July*, 1647.

No person
to depart
without a
Pass.

Seventhly, that every one shall properly build on the Lots granted to and obtained by them, having previously notified the appointed street surveyors, pursuant to the Ordinance of the 26 *July*, 1647.

Order
respecting
the building
on Lots.

Eighthly, no Tavern keepers shall be permitted to brew, or any Brewers to tap, or to retail by the half can, any small or strong Beer, according to the Ordinance of the 12 *January*, 1648, afterward renewed at divers times.

No Tavern
keepers at
liberty to
brew;
Brewers
not to retail
Beer.

Orders
respecting
Wooden
chimneys.

Ninthly, in order to prevent Fire and damage, no person shall be allowed to build within the city of *New Amsterdam*, any Wooden or plastered Chimneys, or repair those built; also, all Chimneys shall be properly swept and kept clean, subject to the inspection of the Fire-wardens, according to the Ordinance of the 23 *January*, 1648.

To use no
Weights or
Measures
except those
of *Amster-*
dam.

10thly. No other Weight, Ell or Measure, to be used within this, our government, except those of *Amsterdam*, according to the Edict of the 10 *March*, 1648.

Order
against
Fighting.

11thly. All Fighting, Wounding, drawing of Knives, and Assaults, are also forbidden, agreeably to the laudable custom of the aforesaid City of *Amsterdam*, and all Innkeepers and Tavern keepers remain bound and obliged by oath, to make known immediately to the Fiscal such Fighting, Wounding, drawing of Knives and assaults, on pain of being debarred from business, besides the fine affixed thereto. Amplified 15 *December*, 1657.

To perform
no unlaw-
ful work on
the Sabbath.

12thly, on the Sabbath of the Lord, no person shall fish, hunt, or perform any ordinary business, much less commit any unlawful acts, on pain of bodily arrest and arbitrary correction, pursuant to the Ordinance of 29 *April*, 1648.

Not to
detain or
debauch
another per-
son's man
or maid
servants.

13thly, not to debauch or incite any person's servants, male or female, or to harbor them, or fugitives, and strangers, longer than 24 hours, without notifying the Fiscal, Magistrates or Schouts, and all servant men and women remain bound to fulfill and complete their contracts, on pain of arbitrary correction, according to the Ordinance of the 6 *October*, 1648.

No Wine or
Beer to be
delivered
or taken
from a cel-
lar without
notice.

14thly, no Brewers, Factors or Merchants, shall be allowed to deliver any Wine or Beer they have sold, or to remove the same out of their houses, from one cellar into another, without having first entered

it, and received an Excise permit therefor, on pain of forfeiting such Wine and Beer, and paying the fine imposed thereon, by the Edict of the 8 *November*, 1648.

15thly, all Bakers shall bake the white bread and coarse bread according to the weight, and sell it at the price established, or hereafter to be established, according to the dearness of the grain, pursuant to the Order and Edicts repeatedly renewed, the last dated 26 *September*, 1656.

Order for
the Bakers.

16thly, all streets, paths and highways, are to be properly maintained, constructed, cleaned and kept passable, according to the Ordinance of the 23 *May*, 1650.

Streets and;
Highways
to be kept
in proper
order.

17thly, in order to prevent all Frands and Smuggling, the Director General and Council Ordained, under date 28 *August*, 1651, that all Ships and Vessels departing from here to Fatherland, *Virginia*, *South river* or elsewhere, shall be obliged to take in their full loading in front of this city *New Amsterdam*, also provide themselves here with necessary Firewood and Water, and after their departure from this City, allow no boats, scows or craft to board them without a special permit from the Hon^{ble}. Director General, the Fiscal or whomsoever shall be authorized thereto by the Director General and Council, on pain as is more fully set forth in the Ordinance aforesaid.

Order
respecting
Smuggling.

18thly, no person shall be at liberty to gallop or drive fast with any Wagon, Cart or Sleigh inside the gates and walls of this City, but the driver shall walk alongside it and not sit thereupon, according to the Edict dated 12 *June*, 1657.

Order
against Fast
driving.

19thly, on the arrival of any Ships, either from Fatherland or elsewhere, no person shall attempt, on the first arrival, to go on board, before and until the letters are delivered to the General, under the penalty

Order
against
Boarding
ships.

of fl.25, and, in addition, of the Canoe, Boat or Scow in which parties go on board, according to Ordinance dated 12 *June*, 1657.

Order
respecting
the Anchor-
age of ships.

20th, not to come to an anchor except at the ordinary anchorage ground, and not to convey any goods on board or from shipboard, except in daylight, according to Ordinance dated as above.

Order
respecting
Sailors'
freight.

21st. No skippers or sailors shall be at liberty to bring with them any goods or Merchandise under the name of Seamen's freight, in any case exceeding two months' (wages), on pain of confiscation, according to Ordinance and Edict dated 12 *August*, 1657.

NOTE.—On the 9 April, 1658, Secretary *Van Ruyven* was ordered to make an Abstract of the principal Ordinances, in order to their necessary renewal. *N. Y. Col. MSS. VIII. 817.* The above Ordinance seems to have been in compliance of that resolution, and constitutes the first Revised Edition of those Laws. *TR.*

ORDINANCE

[*N. Y. Col. MSS. VIII. 814.*]

Renewal
of certain
Ordinances
therein
mentioned.

9 *April*, 1658. This day is renewed the Ordinance issued against the Importation of Munitions of War; against the unseasonable loading and unloading of Yachts, Ketches and Barks; against carrying persons away without a Pass, &c.

NOTE.—It appears by the Letters of the Directors at *Amsterdam* to Gov. *Stuyvesant*, dated 22 December, 1657, and 5 January, 1658, that these Ordinances were drawn up in *Holland*, and sent printed to *New Netherland*. *N. Y. Col. MSS. XII. 69, 71. TR.*

ORDINANCE

Of the Director General and Council of New Netherland against cutting Sods or dredging Oyster shells on Manhattan Island, within certain limits. *Passed 11 April, 1658.*

[N. Y. Col. MSS. VIII. 822.]

WHEREAS the Director General and Council of *New Netherland* see and observe, by their own experience, that some persons undertake to cut and cause to be cut sods, not only between the Walls of this City and the *Fresh Water*, but also here and there on the Highway within this City, which, besides destroying the neatness and serviceableness of the road, would be the cause of a want of sods when the fortifications of this City are to be mended and repaired, wherein it is necessary that provision be made for the public advantage; Therefore the Director General and Council aforesaid do hereby most expressly interdict and forbid all persons, of what quality soever they may be, from attempting to cut or causing to be cut any sods on the *Common Pasture*, between the Walls of this City and the *Fresh Water*, much less on the Highway within this City, without the knowledge or consent of the Director General and Council, under a fine of 25 guilders for the first time, and 50 guilders for the second time.

Preamble.

No person to cut Sods on the Common Pasture, or on the Highways in *New Amsterdam*, without permission.

Penalty.

Further, the Director General and Council aforesaid interdict and forbid all persons from continuing to dig or dredge any Oyster shells on the East River or on the North River, between this City and the *Fresh Water*, on a like penalty, as the Director General and Council consider such to be for the public advantage.

Oyster shells not to be dredged on the East or North river, within certain limits.

Thus done at the Meeting of the Director General and Council in *Fort Amsterdam* in *New Netherland*, the 11 April, A° 1658.

ORDINANCE

Of the Director General and Council of New Netherland explaining what Goods are subject to Import Duty. *Passed 16 April, 1658.*

[N. Y. Col. MSS. VIII. 342.]

Preamble.

Goods imported from the North, Virginia, or elsewhere to pay 10 per cent duty.

Provisions, Malt, Tobacco and Sugar excepted.

Wine, Beer, Vinegar and Oil, declared to be Goods.

THE Director General and Council of *New Netherland* having been requested to state what duty the Goods imported here from *Virginia*, the *North* or elsewhere, outside of this Province, shall have to pay, and what Goods are subject to duty and what not, it is hereby resolved and Ordained by the Director General and Council aforesaid, that all Merchandises imported here from the *North*, *Virginia* or elsewhere, outside this Province, shall pay a Duty of 10 per cent of the true value, except Provisions, Malt, Tobacco and Sugar, which shall still be free from duty.* Under Merchandises are included and reckoned all Wines, Beer, Vinegar and Oil, on which the same Duties shall be paid as on other Merchandises.

Dated as above.

* 15 May, 1657. It being proposed in Council whether the Sugars imported from *Barbadoes* and other Islands should pay the Import duty, it was unanimously voted No, but to connive thereat in order to encourage Trade. But they shall pay a Duty of 8 per cent when exported from this place. N. Y. Col. MSS. VIII. 580. Tr.

ORDINANCE

Of the Director General and Council of New Netherland continuing the Ordinance of the 27 April, 1656, and further regulating the Duties payable on Imported and Exported Goods. *Passed 23 April, 1658.*

[N. Y. Col. MSS. VIII. 862.]

ALL Merchants, Traders, Skippers, Boatmen, also Inhabitants and Foreigners, of what quality or Nation soever they may be, are hereby notified that, conformably to the Ordinance and Edict on this subject enacted and published the 27 April, 1656, no persons shall be allowed to embark, convey or transship by water or by land, any Peltries of any description whatsoever, or any Wines and Beer, or even to remove anything outside the gates of this City, unless they have previously entered the same with *Nicolas Verlet*, commissary of the Company's Warehouse, and herein Collector of the Export Duties, in their exact quantity, quality and description, and received thereof an export Permit, whereupon shall appear, besides the quantity and quality, from whom received and to whom consigned, and, if they are conveyed out of this Jurisdiction promptly, to pay thereof to the aforesaid, our appointed Collector, 8 per cent of all Peltries in species, or the just value thereof in good Merchantable Wampum, according to the Counting-house rate.

Peltries,
Wines, or
Beer, not to
be removed
from *New
Amsterdam*
unless
entered, and

A Permit be
obtained.

Duty on
Peltries,

For a tun of Beer,	fl.2. 2.	Beer,
For an anker of Brandy, Spanish Wine or Liquor,	2. 2.	Brandy,
For an anker of French or Rhenish Wine or Mead,	1. 1.	Wine or Mead.
on the penalty of forfeiting the smuggled and seized Wines, Beer and Peltries, and double the value		Penalty.

Peltries,
Wines,
&c., to be
exported
on the day
they are
entered, or a

New Per-
mit to be
taken out.

Imported
Goods not to
be unloaded
until
entered, and

Ten per cent
Duty paid
thereon,

Provisions
excepted.

Oil, Wine,
Vinegar,
and Beer
subject to
Duty.
Free Goods.

Goods for
export to
be entered
on the day
of depart-
ure, and
to be

Subject to
inspection.

Penalty.

The entered Peltries, Wines Beer and Spirituous Liquors shall be shipped, carried away and removed on the same day, and that by daylight, between the rising and setting of the Sun, and if, through neglect, they are shipped, carried away or removed on the following or on any other day, another export Permit shall be applied for and obtained from the aforesaid Collector on that day on which they are shipped, on the aforesaid penalty.

Further, the Director General and Council give notice that no person, of what quality or Nation soever he may be, shall discharge or unload any goods or Merchandises coming from abroad before and until he have entered the same in their species, quantity and quality with the Director General or his deputy, the Fiscal, or, in his absence, with the aforesaid Commissary, *Nicolas Verleth*, and paid thereof the heretofore Ordained 10 per cent in kind, or the Value thereof in good merchantable Wampum, according to the rate of the Counting-house, on the aforesaid penalty. But from this are exempt all sorts of Provisions, except Oil, Wine, Vinegar and Beer, on which, as on all other merchandises the Duty shall be paid. Also, no duty shall be paid on imported Wampum, Tobacco, Sugar, Indigo, Cotton, Hides and other native products and fruits of this country in America.

Finally, the Director General and Council enact anew that all Ships, Yachts, Barks, Ketches, Sloops, or any other Vessels intending to sail or make a voyage beyond or within this Province, shall, on the day of their departure, enter with the Fiscal, or, in his absence, with the aforesaid Commissary, by list, specifically, the Merchandises, Peltries, Wines and Beer embarked, and submit, after the entry, to the inspection of the Fiscal, Commissary or any other deputy of the Director General and Council, on the fine as aforesaid, one-third of which fine shall be paid

to the discoverer and informer of any Frauds and Smuggling.

To the end that no man shall plead ignorance, the Director General and Council of *New Netherland* Ordain and command their Fiscal to have these presents translated and posted in the English and French Languages, and after the posting, to proceed against the Contraveners, as the case may require.

Law to be translated into English and French.

Thus done, resumed and enacted at the Meeting of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, the 23 April, 1658.

ORDINANCE

Of the Director General and Council of New Netherland regulating the Duties and Fees of Court messengers. *Passed 23 April, 1658.*

[N. Y. Col. MSS. VIII. 887.]

FIRST, whoever will sue anyone at Law, shall summon him by the Court messenger, or Bailiff, for the next session of the Court, which summons must be served at least one day before, unless in case of arrest, or difference between Strangers, when it may be served on the very day of the Session.

Defendants in civil actions to be summoned at least one day before trial, except in certain cases.

2.

The Bailiff or Court messenger shall give in a written return, and state therein where and on whom the summons shall have been served, together with the Answer.

Bailiff to make return of service

3.

All Judgments, interlocutory or definitive, whereby anyone is condemned to pay money, or deposit it in Court, shall, if no Appeal be lodged in cases where an Appeal can be taken, be put in execution within ten days in manner as follows :

Judgments, not appealed from, or not appealable,

4.

To be served on Defendant, who is to be called on to satisfy the same.

The Bailiff or Court messenger shall proceed with the Judgment to the person, or dwelling-house of him against whom he holds the judgment, and summon him to pay within 24 hours; on the expiration of the 24 hours, if no payment has been made, the aforesaid Bailiff or Court messenger shall again demand satisfaction of the aforesaid Judgment, and if he remain still in default, he shall, in the presence of two Schepens, attach or seize, under inventory, the Furniture and Movables, unless the Defendant show the Officer some Furniture or personal property on which he desires the Execution to be levied; The said goods shall be kept for the term of Six days, in order to allow the Defendant to pay in the meanwhile; and after notice has been given at one session of the Court, the aforesaid Movables shall be sold on the next Court day to the highest bidder for ready money.

If Judgment be not satisfied, Furniture and Movables to be seized and inventoried in the presence of two Schepens, and sold after six days, due notice having been given.

5.

Real estate to be seized and sold after notice be given, if the sale of the Movables do not satisfy the Judgment.

And if the payment cannot be made out of the moneys realized from the aforesaid Furniture, the said Bailiff or Court messenger shall seize the Real estate of the Defendant, and publicly sell it for ready money, after four Court days' notice, and also by posting of notices, provided the Defendant be so notified on the first notice or proclamation; and a Decree of Title shall be delivered to the purchaser by the Director and Council, or Burgomasters and Schepens.

Court to give Title.

6.

If Judgment remain still unsatisfied, outstanding Debts due to the Defendant to be sold.

And if the aforesaid property be still insufficient, then he shall attach all outstanding Debts due to the Defendant, which, after four days' notice, shall be sold to the highest bidder for ready money, as aforesaid.

7.

All Judgments rendered in Real actions, whereby any Houses, Lands or property are adjudged to the Plaintiff, shall also be put in execution, after ten days subsequent to the date of Judgment, in the following manner :

Judgments against Houses or Lands, how to be executed.

8.

The Defendant, and also the occupant of the adjudged property, shall be summoned by the Court messenger, or Bailiff, to withdraw from, and vacate the adjudged property within three days, and to let the successful party enter into possession, and if they do not do so within the aforesaid three days, the Defendant or Occupant shall be, after that, actually ejected therefrom, and the successful party put in possession, in the presence of two of the Court, under the superintendence of the Schout, Fiscal or Secretary.

Parties in possession to be ordered to vacate premises within three days.

In case, they refuse, to be ejected and Plaintiff put in possession.

9.

All Judgments, whereby anyone is condemned to render account, proof or residue, or to do any other act, shall be executed after ten days, and after previous Summons as aforesaid, in the following manner : The condemned shall stand arrested at a certain Tavern on pain of Twelve guilders, and on the day appointed, if he do not so appear in confinement he shall be looked up by the Court messenger, and if the Messenger do not find him, he shall forthwith be apprehended and imprisoned, with the aid of the Fiscal or Schout.

Judgments to render account and balance to be executed after 10 days.

Defendant then to be at a certain Tavern, failing which to be imprisoned.

10.

The Court messengers or Ushers, putting in execution, as Bailiffs, the Mandamuses and Orders of justice, issued by the Director General and Council, shall be bound to serve all summons on the persons, or at the dwellings of those whom they will summon, in case they have a domicile, and to leave the copy

Mandamus and judicial orders of the Council to be served personally or left at Defendant's house, and

Return of
service to
be made.

of the aforesaid Mandamus and Order, at the cost of the Petitioner, with the Defendant aforesaid, or some of his family, with a note or memorandum on the aforesaid copy, when the session of the Court shall be held, on pain of Six guilders each time, for the benefit of the Poor; and further conduct themselves in regard to the return, as is ordered in Article 2.

11.

Local officer
to assist if
necessary in
levying
executions.

The Bailiffs or Court messengers, wishing to levy any Executions, really and in deed, shall, if they deem necessary, call on the Officer of the place, city, or village, and request his assistance, which aid the aforesaid Officer shall be bound promptly to render.

12.

Court
messengers
to report
cases of
resistance,
or refusal
of assis-
tance.

Item. Whenever parties resist the execution by words or action, also in case the Officers, Magistrates or others, offer them any resistance, hindrance or obstruction, or refuse assistance, the aforesaid Court messengers or Bailiffs, shall be bound faithfully to report the same, and to deliver a copy of their proceedings into the hands of the Fiscal, in order that such resistants may be summoned before the Director General and Council.

13.

Deposits of
money
in contro-
versy, when
ordered, to
be paid to
the Plaintiff,
or lodged in
Court.

The Court messengers or Bailiffs, executing any order for the deposit of money in controversy,* shall be bound immediately to deliver the deposit aforesaid, into the hands of the party, or to bring it in consignment to the Court, or Secretary of the place.

14.

Court
messengers
responsi-
ble for

If the Court messengers or Bailiffs, when executing any Judgment or Order issued by the Director Gen-

* *Namptissement*. This was an Order obtained, in certain cases, by the Plaintiff to oblige the Defendant to pay money sued for into Court, or to the Plaintiff, under bond *de restituendo*. *Wassenaer Praxis Judicicel*, p. 122. TR.

Erroneous, negligent or fraudulent execution of Judgments, and must correct the same.

Plaintiffs not responsible, or allowed to offer indemnity in such cases.

The Court messengers or Bailiffs shall be bound to accompany the Fiscal, and assist him in all Civil executions which the Fiscal is ordered to levy by the Director General and Council.

Court messengers to assist the Fiscal in Civil cases.

The Court messengers or Bailiffs shall content themselves with, and may demand, the following Fees, and no more :

**Fees of
Court
messengers.**

For serving a Mandamus within this City, .	1. 10.
outside the same,	2. 10.

Other services and labor not expressed or specified herein shall remain subject to the discretion and taxation of the Director General and Council.

Court messengers not entitled to Fees in cases wherein the Company is concerned.

In Cases, Services and Citations relating to the Hon^{ble} Company, or where the Fiscal and Schout are concerned *ex officio*, the Court messengers shall be bound to act for the ordinary Salary allowed them.

Power to alter this Law, reserved.

The interpretation, alteration and enlargement hereof shall be subject to the judgment and disposition of the Director General and Council aforesaid.

Thus done and provisionally Ordained the 23 April, A^o 1658, at the Meeting of the Director General and Council, holden in *Fort Amsterdam* in *New Netherland*.

ORDINANCE

Of the Director General and Council of New Netherland for the payment of Tenths. *Passed 2 July, 1658.*

[N. Y. Col. MSS. VIII. 590.]

Crops not to be removed from the field until an arrangement be made for the Tenths.

THE Director General and Council of *New Netherland* do hereby notify and warn all those who, according to their Patents and Deeds, are indebted for Tenths, that no person shall attempt to remove his cultivated crops, whether Grain, Maize or Tobacco, before and until he have agreed about the Tenths for this year with the Director General and Council or their Commissioners, Mess^{rs} *Peter Tonneman* and *Johan de Deckere*, or, in case of non-agreement, have shown his crops to said Commissionuers, in order to select and count out the Tenths, according to the usage and custom of our Fatherland, on pain of forfeiting 50 guilders above the just value of the Tenths to be estimated by impartial men; said fine to be paid by whomsoever shall be found to have acted contrary hereunto. Dated as above.

Commissioners for the Tenths.

In case no arrangement be made, the Tenths to be sold out.

Penalty.

ORDINANCE

Of the Director General and Council of New Netherland making Wampum a legal Tender in certain cases, and fixing the price of Bread and Liquors. *Passed 11 November, 1658.*

[N. Y. Col. MSS. VIII. 1023.]

THE Director General and Council of *New Netherland*,

To all those who see these Presents or hear them read, Greeting, make known.

WHEREAS, notwithstanding the former reduction of Wampum at the General counting house, from Six to Eight white, and from Three to Four black [beads] for one stiver, they are still informed, both by a Remonstrance of the Burgomasters and Schepens of this City, and by reports of others, of the high, excessive and intolerable dearth of needful commodities and family necessities, arising among other causes, from the abundance and uncurrent condition of the Wampum, which in barter for Beaver, has risen to 16 guilders and more for one Beaver; according to which rate, all household commodities and common daily necessities take their course, even to such a degree, that a difference of 80, 90, yea 100 per cent is made by Shopkeepers, Tradesmen, Brewers, Bakers, Tapsters, and Grocers, if they work and sell their wares for Beavers or Wampum, which has necessitated and induced the Director General and Council aforesaid, at the further request of the Burgomasters and Schepens of this City, to allow Wampum to be current, according to the abovementioned reduction of the Counting house, to wit: in place of 6, Eight white, and in place of three, Four black for one stiver. But whereas from past experience, it is not only to be feared, but may probably follow, that, by this reduction, the complaints and dearth will not be prevented, nor the disproportion between the

Preamble.

Depreciation of Wampum.

Rate of Wampum.

Wherefore, to prevent the altogether too great clamor and complaint of dearness, and to enact some Regulations with regard to the most necessary articles, such as Bread, Beer and Wine, according to which others can in course of time be regulated and reduced, the Director General and Council have, after communication with, and on the advice of, the Burgomasters of this City, concluded, resolved and Ordained, as they do hereby Ordain, that Brewers, Tapsters, Bakers, also other Storekeepers and Grocers, shall offer for sale to the purchaser, the daily most necessary domestic commodities at three prices, to wit, Silver money, Beaver, or Wampum, as it is at present provisionally reduced everywhere throughout this Province, videlicet, Eight white and Four Black for one stiver. According to which order

At three
rates: for
Silver,
Beaver, or
Wampum.

Rate of
Wampum.

The Brewer shall deliver

The tun of Strong Beer @ 10 guilders in Silver,
according to the value in *Holland*.
The tun of Strong Beer @ 15 guilders in Beaver;
the Beaver @ 8 gl.
The tun of Strong Beer @ 22 guilders in Wampum;
Eight white and Four Black for one stiver.
The tun of Small Beer, 3 guilders in Silver.
4½ guilders in Beaver.
6 guilders in Wampum.

Prices of
Beer, when
sold by the
Brewer.

The Tavern keeper,

Half a gallon of Beer, 6 stivers in Silver.
9 stivers in Beaver.
12 stivers in Wampum.
can of French Wine @ 18 stivers in Silver.
@ 22 stivers in Beaver.
@ 36 stivers in Wampum.
can of Spanish Wine @ 24 stivers in Silver.
@ 36 stivers in Beaver.
@ 50 stivers in Wampum.

Prices of
Beer,

Wine, and

Brandy,
when sold
by the
Tavern-
keeper.

A gill of Brandy @ 5 stivers in Silver.
@ 7 stivers in Beaver.
@ 10 stivers in Wampum.

The Bakers,

Prices of
Bread.

A coarse Wheaten loaf, 8 lbs. weight @ 7 stivers in Silver.
A coarse Wheaten loaf, 8 lbs. weight @ 10 stivers in Beaver.
A coarse Wheaten loaf, 8 lbs. weight @ 14 stivers in Wampum.
A Rye loaf, 8 lbs. in weight @ 6 stivers in Silver.
@ 9 stivers in Beaver.
A Rye loaf, 8 lbs. in weight @ 12 stivers in Wampum.
A White loaf, 2 lbs. in weight @ 4 stivers in Silver.
A White loaf, 2 lbs. in weight @ 6 stivers in Beaver.
A White loaf, 2 lbs. in weight @ 8 stivers in Wampum.

Thus done, resumed and enacted at the Meeting of the Director General and Council, holden in *Fort Amsterdam* in *New Netherland*, the 11 November, A° 1658.

P. Stuyresant, Nicasius de Sille, La Montagne, Pieter Tonneman.

ORDINANCE

Director General and Council of New Netherland for the
mediate Settlement of Haerlem. *Passed 27 November, 1658.*

[N. Y. Col. MSS. VIII. 1044.]

ALL persons whom it may concern are hereby
enjoined and notified that all those who have
received Lots or Plantations in the newly begun
Village of *Haerlem*, shall take possession, or cause
possession to be taken thereof, and commence pre-
parations for fencing and planting the same, within
the space of Six weeks from the date hereof, on pain
of losing the Lots and Plantations which are not
taken up within that time, given and granted to
them, who may be disposed to improve them.

Lots and
Farms in
Haerlem, to
be fenced
within 6
weeks, on
pain of
forfeiture.

ORDINANCE

Vice-Director and Commissaries of Fort Orange for the proper
Assize of Bread. *Passed 27 November, 1658.*

[Book A, Mortgage No. 1, Co. Clerk's Office, Albany, 108.]

THE Vice-director and Commissaries of *Fort Preamble.*
Orange, Village of *Beverwyck*, and the dependencies
thereof, having heard the manifold complaints of the
scarcity of coarse Bread, which the Bakers, contrary
to the Ordinance of the Director General and Council
of *New Netherland*, published here the 6 October, A^o
1658, do not bake twice a week, the Coarse loaf at 16
cents, the White loaf in proportion, consuming, to
the great prejudice of the Commonalty, their Flour
in making of *Koeckies* (cakes) and white Bread for
the Indians, without being weighed; Therefore the
Vice-Director and Worsh^{ip} Commissaries hereby
enjoin, agreeably to the said Edict, that every one
who follows the trade of baking, shall, from this time
forth, bake twice a week, coarse Bread for the accom-

Bakers to
bake twice
a week.

ORDINANCE

Of the Vice-Director and Commissaries of Fort Orange for the better prevention of Fires. *Passed 27 November, 1658.*

[Book A, Mortgage No 1. in Co. Clerk's Office, Albany, 109.]

WHEREAS daily experience teaches us that in consequence of the foul and unswept condition of the Chimneys, these frequently catch fire, and commonly the Houses also; yea, oftentimes the neighboring houses where these are covered with ignitable materials, whereby great damage is done, not only to the Houses and Goods, but also to Human beings, a sad spectacle; Therefore, the Vice-director and Worshipful Commissaries of this Court, wishing, as by their office and duty bound, to provide by all means in their power against such accidents, do hereby order all Burghers and Inhabitants of *Fort Orange*, and Village of *Beverwyck*, each one in particular, to keep the Chimneys of his respective house clean and free from the danger of fire, under a penalty of One pound Flemish for every Chimney that shall, 15 days after the publication hereof, be foul and inspected as such, and he whose Chimney shall take fire through carelessness or neglect shall forfeit 50 guilders.

Preamble.

Chimneys
in *Fort
Orange* and
Beverwyck
to be kept
clean.

Penalty.

In case
of Fire.

Done in *Fort Orange*, the 27 November, A° 1658.

ORDINANCE

Of the Director General and Council of New Netherland obliging Boarding-house keepers to pay Excise. *Passed 28 November, 1653.*

[N. Y. Col. MSS. VIII. 1046.]

Preamble.

Board-
ing-house
keepers to
pay half
Tavern
Excise.

WHEREAS the Director General and Council are certainly informed that some persons, under pretense of keeping Boarders, sell Wine, Beer and Strong Liquors, to the prejudice of the general Revenue and of the Tavern keepers who publicly follow that business, in order to prevent the same, it is resolved and Ordained, by the Director General and Council, that all those who are keeping Boarders, shall pay half Tavern keepers' Excise on the Wine, Beer and Strong Liquors they will lay in and consume. Dated as above.

ORDINANCE

For the establishment of two Cattle Fairs in New Amsterdam.

Passed 28 November, 1658.

[N. Y. Col. MSS. VIII. 1048.]

An Annual
Fair estab-
lished in
New Amster-
dam during
the month
of May for
Lean Cattle,
and

From the
20 October to
30 November
for Fat
Cattle.

By an Order in Council, the Burgomasters and Schepens of New Amsterdam, were on their Petition authorized to establish two Markets or Fairs, in that City; one for Lean cattle, to commence on the first of May and to continue until the end of said month; the other for Fat cattle, to commence on the 20th of October and to terminate on the last of November of each year, during which several periods, no Stranger within the City or its jurisdiction, should be subject to arrest or process.

In regard to Ferriage, the Burgomasters and Schepens proposed that in place of twenty stivers, twenty-five stivers a head should be charged for the cattle brought over, on condition that the cattle

remaining unsold should be carried back free of charge. This was allowed, provided the Ferry-master consent thereto.

ORDINANCE

Of the Vice-Director and Commissaries of Fort Orange fixing the rate at which certain Debts may be paid in Wampum. *Passed 29 November, 1658.*

[Book A, Mortgage No 1, in Co. Clerk's Office, Albany, 109.]

THE Vice-director and Commissaries of *Fort Orange*, Village of *Beverwyck* and dependencies thereof, having received an Ordinance of the Director General and Council of *New Netherland*, concerning the value of Wampum, which they have had published on the 22d instant, and having afterward, on petition, taken into consideration some complaints of the Commonalty, respecting the rating of the Wampum, being greatly injured thereby: Therefore, the said Vice-director and the Commissaries aforesaid do hereby Ordain that all the old debts which have been incurred before the publication of the above-mentioned Ordinance, and which must be paid before that time, may be discharged, within 8 days from date, for six white and three black Wampum beads for one stiver.

Rate at which Debts incurred at *Fort Orange* prior to the publication of the Law regulating the value of Wampum, may be discharged.

Thus done in the Court of *Fort Orange*, the 29 November, A° 1658.

ORDINANCE

Of the Director General and Council of New Netherland for the better preservation of Fences. *Passed 30 December, 1658.*

[N. Y. Col. MSS. VIII. 60.]

This is a renewal of the Ordinance of the 9 October, 1655, *supra*, p. 193.

ORDINANCE

Of the Director General and Council of New Netherland against Firing guns, Planting May-poles, Beating Drums, or Selling Liquor on May-day or New-year's-day. *Passed 30 December, 1658.*

[N. Y. Col. MSS. VIII. 62.]

This is a renewal of the Ordinance of the 31 December, 1665, *supra*, p. 205.

ORDINANCE

Of the Vice-Director and Commissaries of Fort Orange against molesting Indians within that jurisdiction. *Passed 27 September, 1659.*

[Book A, Mortgage No. 1, in Co. Clerk's Office, Albany, 182.]

Preamble.

THE Worshipful Commissary and Commissaries of *Fort Orange* and Village of *Beverwyck*, having heard divers complaints of the insults offered to the Indians by beating and striking them, which tends to a dangerous result, in order to provide against such, and to prevent accidents in these dangerous times, they forbid, as they do hereby most expressly prohibit, all Inhabitants of this Jurisdiction, molesting any Indians, of what nation soever they may be, and that on pain of arbitrary correction.

Inhabitants of *Fort Orange* and *Beverwyck* not to molest Indians.

Penalty.

Thus done at the Meeting of the Court of *Fort Orange* and Village of *Beverwyck*, in *Fort Orange* the 27 September, A° 1659.

ORDINANCE

Of the Vice-Director and Commissaries of Fort Orange regulating Tapsters; against playing Golf in the Streets; against piling Fire-wood in the Streets and against firing Guns on New-year's-day. *Passed 10 December, 1659.*

[Book A, Mortgage No. 1, in Co. Clerk's Office, Albany, 209.]

THE Worsh^d Commissary and Commissaries of *Fort Orange* and Village of *Beverwyck* Ordain, pursuant to the Ordinance of the Hon^{ble} Director General and Council of *New Netherland*, published here the 6th October, 1656, as they do hereby Ordain, that from this time forth no person shall follow the business of Tapping, before and until he shall have received a License from the Officer, on condition of paying therefor One pound Flemish, and being bound to renew his License every three months, on pain of suspension from his business.

No person to sell Liquors at *Fort Orange* without a License, renewable every 3 months.

Fee for License.

The W. Commissary and Commissaries of *Fort Orange* and Village of *Beverwyck*, having heard divers complaints from the Burghers of this place, against playing at Golf along the streets, which causes great damage to the windows of the Houses, and exposes people to the danger of being wounded, and is contrary to the freedom of the Public Streets; Therefore their Worships, wishing to prevent the same, forbid all persons playing Golf in the streets, on pain of forfeiting fl.25 for each person who shall be found doing so.

No person to play at Golf in the Streets of *Fort Orange* and *Beverwyck*.

Penalty.

Whereas experience shows that many Burghers of the Village of *Beverwyck* deposit and pile their Fire-wood in the Streets, contrary to the freedom of said Streets which must be always kept free and unobstructed, whereby not only people are incommoded, but Wagons, Sleighs and Carts can with difficulty make use of said Streets, to the serious inconvenience of the Public. Therefore the Commissary

Fire-wood not to remain piled in the Streets longer than 10 days.

Penalty.

Guns not to be discharged in *Beverwyck* on New-year's-day.

Penalty.

and Commissaries of *Fort Orange* and Village of *Beverwyck*, wishing to provide against such inconveniences, hereby forbid each and every of the Inhabitants of *Beverwyck* from this time forward from allowing their Firewood to stand on the Street beyond the term of ten days, on pain of confiscating said Wood, and, in addition, paying a fine of fl.25.

In like manner also, the Commissary and Commissaries forbid, as they do hereby most expressly prohibit any of the Burghers or Inhabitants of the Village of *Beverwyck*, shooting on New-year's-day, on account of the great damage and disorder such firing causes; on pain of Twenty-five [guilders] for each person who shall be found to have done so.

Thus done in *Fort Orange*, at the Meeting of the Court of said place, on the tenth of December, A° 1659.

ORDINANCE

Of the Director General and Council of New Netherland, for the establishment of Villages. *Passed 9 February, 1660.*

[N. Y. Col. MSS. IX. 53.]

Preamble.

WHEREAS sad experience hath from time to time demonstrated that, in consequence of the separate and isolated dwellings of the Farmers, set up, in the *Flatland*, on various hooks and places, in direct opposition to the Order of the Hon^{ble} Patroons and their Chief Magistrates here, many and divers Massacres and Murders of People, with slaughtering and killing of Cattle, and burning of Houses and Barns, have been committed and perpetrated now and again by the cruel Barbarians, which might, with God's help, be prevented, if the good Inhabitants of this Province had settled nearer each other in the form of Towns, Villages or Hamlets, like our neighbors of *New England*, who, by reason of their combination

and concentration, have never been subject to such, certainly not to so manifold and general calamities, as we and our Nation. Which calamities have been caused and the Indians encouraged thereto, saving God's righteous chastisement, by the Farmers dwelling apart, it being notorious and remarkable, that similar murders have never occurred where 10 or 12 persons have dwelt together in form of a Settlement, but always in isolated localities where the one cannot come to the assistance of the other in time of need, it being out of the power of the Director General and Council to provide each separate farm-house with a guard.

In order to prevent and in future, put a stop, as much as possible, to such Massacres, Murders and Burnings, by cruel Barbarians, at the separate dwellings, the Director General and Council of *New Netherland* do, therefore, hereby notify and Order all isolated Farmers in general, and each in particular, wherever they may reside, without any distinction of persons, to remove their houses, goods and cattle before the last of March, or at latest the middle of April, and convey them to the Village or settlement, nearest and most convenient to them ; or, with the previous knowledge and approval of the Director General and Council, to a favorably situated and defensible spot in a new palisaded Village to be hereafter formed, where all those who apply shall be shown and granted suitable Lots, by the Director General and Council or their Agents, so that the Director General and Council, in case of any difficulty with the cruel Barbarians, would be the better able to assist, maintain and protect their good Subjects with the force intrusted to them by God and the Supreme authority. Expressly warning and commanding all and every whom these may concern, to transport their property, previous to the time aforesaid, into Villages or Hamlets, on pain

Farmers
to remove
their dwell-
ings, goods
and cattle
previous to
the middle
of April, to
the nearest
Village, or

To a new
Village to be
established.

Property
found in
isolated
farm-house

After the
above date
to be con-
fiscated.

of confiscation of all such goods as shall be found, after the aforesaid time, in separate dwelling and farm-houses. For such the Director General and Council find to be for the Public good.

Thus done at the Meeting of the Director General and Council holden in *Fort Amsterdam*, in *New Netherland*, 9 February, 1660.

ORDINANCE

Of the Director General and Council of New Netherland for inclosing the Village, and for the better Government of the Town of New Utrecht. *Passed 23 February, 1660.*

[N. Y. Col. MSS. IX. 79.]

Preamble.

WHEREAS it is found that some Inhabitants who have obtained Lots or Plantations in the town of *New Utrecht*, and who were ordered and commanded to set off and to fence their Lots and Plantations, and, moreover, to acknowledge *Jan Tomasse* as their sergeant, also to obey the said *Jan Tomasse* and *Jacob van Culer** as Overseers of the public interests, and their orders given to them by the Director General and Council, notwithstanding which it is necessary that the Village be without delay palisaded by the Inhabitants in general, the Plantations properly secured by posts and rails, and that the Village lots and grounds be fenced or suitably separated, so that the one and the other may not suffer any damage from Horses, Cattle or Hogs.

Therefore the Director General and Council, wishing to provide therein, and to promote the aforesaid Village and its increase as much as possible in future, have resolved and deemed it necessary that all the Inhabitants of the town of *New Utrecht* shall henceforth acknowledge the person of _____ as their

Sheriff,
Clerk and
Deputy
Sheriff

* Sic.

Sheriff, and *Jacob van Curler* for Secretary, with also *Jan Tomasse* for Deputy Sheriff, who shall decide all differences as far as they are able, enjoying the same power as all other subaltern Town Courts.

of *New Utrecht*, constituted a Town Court; Their powers.

Secondly, that they shall collectively set Palisades around their Village in a proper manner, and the absentees, if they will not have put some one in their stead to cut and set the palisades, shall forfeit every day Six guilders for the public benefit.

Inhabitants to palisade the Village.

Absentees, in case of neglect, to be fined.

Item. They shall properly fence with posts and rails their Lands and Plantations, and divide the same among each other by lot, so that each one may know what he has to take care of; and whosoever fails to keep his share close, whereby another should come to suffer damage, whether from Horses, Cattle or Hogs, shall not only be bound to make good the damage, but, in addition, also, forfeit, for the first time, Twelve guilders; for the second time, double, and so forth.

Plantations to be properly inclosed.

Persons neglecting to fence their Lands, to pay damages and a fine.

Item. They shall construct a close fence around their Lots in the Village, so as not to cause any trouble to their neighbors by Cows, Horses or Hogs, on the penalty as aforesaid; and the injured party may seize the trespassing Cattle in the presence of one or two men, and place them in the Pound, until the damage be repaired and the fine paid.

Village Lots to be fenced.

Cattle trespassing to be impounded, until damages and fine are paid.

Item. They shall conjointly construct in the center of their Village, a suitable Blockhouse, where the Grist-mill shall be provisionally placed for the public convenience; whosoever absents himself shall be fined 12 guilders for the benefit of the Town.

Block-house to be erected;

A public Well shall be dug there also, on the penalty as aforesaid.

Well to be dug, and

Item. A Pound for the Cattle that may have committed any damage on any person, on pain of forfeiting Two guilders for the Public.

Pound established.

Roads to
be cleared
and leveled.

Item. They shall conjointly, whenever necessary, clear and level the Roads and fell the Trees, in order that men shall be able to see to a far distance; on the penalty of Six guilders a day.

Penalty.

Persons
ready to
build, to
have the
choice of
Lots.

To the end that the Village may be the sooner and quicker settled and built up by one another, the Director General and Council Ordain, that whosoever is first ready to build shall have a preference of choice, even notwithstanding such person's chance may have fallen on a different lot.

Ordinance
to be pub-
lished, and
violators
thereof
prosecuted.

And in order that no person may plead ignorance hereof, the Director General and Council order and command, that this their Ordinance shall be immediately published and posted. They further charge the Fiscal, Schout, and Deputies to execute it; to prosecute and cause to be prosecuted the contraveners and violators thereof, without favor or partiality, for such We have deemed to be for the service of the Village of *New Utrecht*.

Thus done at the Meeting of the Director General and Council, holden in *Fort Amsterdam*, in *New Netherland*, the 23 February, 1660.

ORDINANCE

Of the Director General and Council of New Netherland for the better preservation of the Palisades around the Villages of *Midwout* and *Amesfoort*. *Passed 26 February, 1660.*

[N. Y. Col. MSS. VIII. 99.]

WHEREAS the Director General and Council of *New Netherland* see and observe, to their great regret, that the Palisades set up around the Villages of *Midwout* and *Amesfoort*, with great pains and labor, by the Commonalty for their more effectual defense, are daily decaying, and will still more and more decay, if seasonable provision be not made against it; And whereas the present circumstances of the country imperatively demand, not only the concentration of Settlements, and the bringing together of all separate dwelling and farm-houses, but, also, the maintaining and putting into a proper state of defense of those places which are already palisaded and set off;

Preamble.

Therefore, the Director General and Council afore-said, in order to promote as far as possible this necessary work, hereby not only commission and authorize, but also expressly Order and command, the Magistrates of the abovementioned Villages of *Midwout* and *Amesfoort*, above all things to take care that the Palisades and demarkation be properly maintained and kept in repair. For the better effecting and prosecuting this work, they shall assign, to each of the Inhabitants in his respective Village, a certain portion which he must keep in repair, and then, without fail, go around themselves in person, every 14 days, and inspect the work to see if all of it be in proper order. And the Inhabitants of said Villages are hereby, likewise, expressly commanded and directed, on the order and notification of their respective Magistrates, each immediately to repair, and put in a defensive state, and so to maintain, the

Magistrates of *Midwout* and *Amesfoort* to maintain the palisades

To assign to each of the Inhabitants, the portion he has to keep in repair and to inspect the work.

Inhabitants to obey the orders of the Magistrates

Penalty.

part that will be assigned to him. Whosoever will be found careless and negligent herein, after having been duly ordered and notified, shall forfeit, for the first time, 25 guilders; for the second time, double, and for the third time, in addition, be arbitrarily corrected. For the Director General and Council find such to be for the best advantage of the Public and of the good Inhabitants in particular.

Thus done in *Fort Amsterdam*, in *New Netherland*, the 26 February, A° 1660.

ORDINANCE

Of the Directors of the Chamber at Amsterdam, defining the Powers and Duties of the Schout of New Amsterdam. *Passed 9 April, 1660.*

[N. Y. Col. MSS. XIII. 108.]

Sheriff
of *New
Amsterdam*
to preserve
the prerogatives and
immunities
of the West
India Com-
pany;

1. In the first place, the Sheriff shall, as the Director General and Council's guardian of the law in the district of the city of *New Amsterdam*, preserve, protect and maintain, to the best of his knowledge and ability, the preëminences and immunities of the privileged West India Company, in as far as these have been delegated by previous Instruction to the Board of Burgomasters and Schepens; without any dissimulation, or regard for any private favor or displeasure.

Convoke
and preside
at the
Meetings
of Burgo-
masters and
Schepens;
propose
matters for
their delib-
eration, and
collect the
Votes;
Prosecute
violators of
the Laws,

2. In the quality aforesaid, he shall convoke the meetings of Burgomasters and Schepens and preside thereat, also propose all matters which shall be brought there for deliberation, collect the Votes, and resolve according to the plurality thereof.

3. He shall, *ex officio*, prosecute all contraveners, defrauders and transgressors of any Edicts, Laws, Statutes and Ordinances which are already made and published, or shall hereafter be enacted and made public, as far as those are amenable before the Court

of Burgomasters and Schepens, and with this understanding that, having entered his suit against the aforesaid Contraveners, he shall immediately rise, and await the judgment of Burgomasters and Schepens, who, being prepared, shall, also, on his motion, pronounce the same.

But not
preside in
Court in
such cases;

4. And, in order that he may well and regularly institute his complaint, the Sheriff, before entering his action or arresting any person, shall pertinently inform himself of the crime of which he shall accuse him, without being empowered to arrest anyone on the aforesaid information, unless the offense be committed in his presence.

Take information, previous to prosecutions, but not make arrests, unless the offense be committed in his presence.

5. He shall take all his informations in the presence of two members of the Board of Burgomasters and Schepens if the case shall permit it, or otherwise in the presence of two discreet persons, who, with the Secretary or his deputy, shall sign the aforesaid informations.

Mode of taking Informations.

6. Which aforesaid Secretary, with the Court Messenger, are expressly commanded to assist and be serving unto the Sheriff in whatever relates to their respective offices.

Secretary and Court messenger to assist the Sheriff.

7. He shall take care in collecting and preparing Informations to act impartially, and to bring to light, the truth as clear and naked as possible noting, to that end, all circumstances which in any way deserve consideration, and appertain to the case.

Information to be taken impartially, with details of relevant circumstances.

8. Item. The aforesaid Sheriff, on learning or being informed that any persons have injured each other or quarreled, shall have power to command the said individuals, either personally or by the Court messenger or his deputy, to observe the peace, and to forbid them committing any assault, on pain of arbitrary correction at the discretion of the Burgomasters and Schepens.

Sheriff empowered to stop violators of the peace.

But not to compound with the guilty parties.

He shall execute the Judgments of the court of Burgomasters and Schepens,

According to the custom of the City of Amsterdam, and

Take care that copies of all their proceedings be communicated annually to the Director and Council.

Offenses not cognizable by the Sheriff, to be communicated to the Fiscal, without arresting the offending parties unless

In certain cases.

Parties in such cases arrested to be surrendered to and prosecuted by the Fiscal.

Sheriff's fees to be fixed in *New Netherland*.

Fiscal to prosecute the Sheriff in case of malfeasance.

9. He shall not have power to compound with any person for their committed offenses, except with the knowledge of the Burgomasters and Schepens.

10. He shall take care that all Judgments pronounced by the Burgomasters and Schepens, and which are not appealed from, shall be executed conformably to the abovementioned Instruction given to the same, according to the style and custom of Fatherland, and especially the city of *Amsterdam*.

11. In like manner, that authentic copies of all the Judgments, Orders, Acts and Resolutions to be adopted by the aforesaid Burgomasters and Schepens, shall be communicated once every year, to the Director General and Council of *New Netherland*.

12. And in case he receive any Information or statement of any offenses, which from their nature, or on account of the offending person, are not subject to his complaint, he shall be bound forthwith to communicate the same to the Fiscal without taking any Information himself, much less arresting the offender, unless in actual aggression to prevent greater mischief, or hinder flight in consequence of the enormity of the crime.

13. Which being done, he shall, as before, surrender without any delay the apprehended person, with the information taken, to the Fiscal, to be proceeded against by him in due form as circumstances demand.

14. In order that the aforesaid Sheriff shall be the more encouraged hereunto, he shall enjoy, etc.*

[This must be fixed in the country yonder, with advice.]

15. Should the Sheriff violate any of these Articles he shall be prosecuted on the complaint of the Fiscal before the Director and Council, to be punished according to the nature of the case.

* This refers to the Fees of the Sheriff. Tr.

ORDINANCE

the Director General and Council of New Netherland excluding all persons who have not obtained their Burgherright, from trading to Fort-Orange or other parts of New Netherland. *Passed 25 May, 1660.*

[N. Y. Col. MSS. IX. 261.]

WHEREAS the Director General and Council of *New Netherland* are certainly informed, by the Burgomasters and Schepens of this City, and also indeed that, that some newly arrived Traders, Scotch factors and Merchants do, without having applied for and obtained their Burgherright here, undertake not only to sell and barter their goods, but also to transport and send them to *Fort Orange* and elsewhere, which is directly contrary to, and in violation of, the privilege of Burgherright, and the prerogative thereof granted to the good Inhabitants of this City; the Director General and Council desiring, on the remonstrance and petition of said Burgomasters and Schepens, to provide herein, do Ordain that no newly arrived Traders, Scotch factors, or Merchants, shall be at liberty to transport or to send their goods from *Fort Orange*, or elsewhere, within the district of *New Netherland*, unless they have previously obtained Burgherright here, and, in conformity with the Order and instructions of the Hon^{ble} Directors, have kept an open store here for some time, at least six weeks; And all this provisionally, until otherwise ordained by the Hon^{ble} Directors, or the Director General and Council.

Thus done in *Fort Amsterdam*, in *New Netherland*, the 1st day of June, 1660.

No Merchants or Traders to send their Goods to any part of *New Netherland* unless they obtain Burgherright, and have kept a Public Store in *New Amsterdam* at least 6 weeks.

ORDINANCE

Of the Vice-Director and Commissaries of Fort Orange against employing Brokers in the Indian Trade. *Passed 31 May, 1660.*

[N. Y. Col. MSS. XVI. part III. 153.]

Runners
not to be
employed
at Fort
Orange, in
the Indian
Trade.

No per-
son to go
beyond the
houses on
the Hill, or
to the water-
side in
search of
Indians.

Penalty.

THE Commissary of *Fort Orange* and Commissaries of the Village of *Beverwyck*, being assembled respecting the manifold complaints of the Commonalty in regard to the Trade, have, by plurality of votes, Ordained, as they do hereby Ordain provisionally for this year, that no Brokers, either Christian or Indian, shall be employed, but that the Indians shall, without being requested or called upon, trade their Beavers wheresoever they please. Also, it is [not] allowed to any person to go on the Hill as far as the houses extend, to inquire where the Indians will be, or to the Strand where the Indians land, on the penalty of a fine of Three hundred guilders, and suspension of business for the term of two months, for such as will be found to have acted contrary hereto; to be executed without any dissimulation or regard of persons. And in the absence of the Officer, another person shall be appointed in his place for the enforcement hereof.

Done in *Fort Orange* the Last of May, 1660.

ORDINANCE

Of the Director General and Council of New Netherland providing for the safe transmission of Letters to Holland. *Passed 2 June, 1660.*

[N. Y. Col. MSS. IX. 276.]

Resolution adopted by the Directors of the West India Company at the Chamber at *Amsterdam*, on *Thursday*, the 30 *October*, A° 1659.

IT being ascertained that private Letters in *New Preamble. Netherland* and *Curacao* are not, by order of the government there, in accordance with ancient usage, as is the custom in *Brazil*, packed in a sealed bag sent to the Company by the Supercargoes, or even by the Skippers of the ships which frequent that sea, for the accommodation of the Merchants thereabout, as the Company intend, but that private Skippers coming over here ordinarily take them with them, and oftentimes direct them badly or very late, it is, therefore, resolved and concluded, in order to reëstablish the aforesaid ancient regulation, that henceforth in the particular Bond of the Skippers who trade to *New Netherland* as well as to *Curacao*, there shall be inserted: "And have forbidden them to bring hither privately any more Letters, on pain of One Hundred Carolus guilders each time they will be found to act contrary hereunto, but to have them directed at the place to be designated at their respective localities, by the Director General of *New Netherland*, and the Vice-Director of *Curacao*;" both which Officers shall then accordingly be instructed and ordered to provide for the collection and transmission thereof hither, in the aforesaid manner, by every ship, which shall be done here also in the best possible manner.

Captains of Vessels to enter into a Bond not to bring Letters to *Holland* from *New Netherland* or *Curacao*, unless received from persons authorized to collect them.

Agrees with the aforesaid Record,

C. VAN SEVENTER.

To the end that no person plead ignorance, the foregoing Extract is posted, with the following :

ORDINANCE.

By virtue of the preceding Resolution, all Skippers, Sailors and Passengers who are sailing out, are hereby warned not to take with them any private Letters, upon the penalty in the foregoing Resolution expressed. In order that Letters may, accordingly, be conveyed more certainly and better, a box is appropriated at the Office of the Secretary of the Director General and Council, in which Letters are to be deposited, and if anyone require a receipt for his Letter, it shall be given him by one of the clerks, and the Letter recorded on a list, on condition of paying 3 stivers in Wampum therefor.

Box placed in New Amsterdam in the Office of the Secretary of the Province for the reception of Letters.

Letters may be registered

Fee for Registry.

ORDINANCE

Of the Director General and Council of New Netherland, for the more regular Recording of Judgments, &c., in the Inferior Court of New Amsterdam. *Passed 7 June, 1660.*

[N. Y. Col. MSS. IX. 223.]

Preamble.

WHEREAS the Director General and Council of *New Netherland* are informed, and indeed have found, that many Judgments and Decisions rendered and pronounced by the Burgomasters and Schepens of this City, have been recorded by their Secretary without such having been revised, as they ought, or submitted for the signature of the President, the result of which is, that Instruments are not drawn up according to the real intent and meaning of the said Burgomasters and Schepens; in order to provide against this in future, the Director General and Council do Ordain and command the Secretary of the Inferior Court of Justice of this City not to execute any extracts of any Judgments, Decisions

Clerk of the City Court not to verify extracts of Judgments or other Acts, unless

or any other Acts of importance, unless they have been revised and signed in the Register, as they ought, by the Court, or at least by the President.

previously
revised and
signed by
the Court

Thus done in *Fort Amsterdam*, as above.

ORDINANCE

Of the Court at *Fort Orange* prohibiting Runners going into the Woods to trade with Indians. *Passed 28 June, 1660.*

[N. Y. Col. MSS. XVI. part III, 175.]

THE Worshipful court of *Fort Orange* and vil-
lage of *Beverwyck* having heard the earnest com-
plaints of the Mohawks, being some of their chiefs,
in regard to the disorderly conduct of the Dutch
toward them in the Woods who run up and down
on horseback, not only taking their Beavers by
force and carrying them off, leaving the Indians
to run after them, but also shove and beat them
as is more fully to be seen by the complaints made
by said Mohawks to the Court. Such excesses and
insolence being altogether contrary to the welfare
and peace of this place, and apparently tending to
produce a war between us and the Mohawks; their
Worships, finding themselves officially bound to pro-
vide therefor, have resolved to forbid, as they do
hereby prohibit, all Inhabitants of this place to rove
the Woods as Brokers for the purpose of drawing
the Indians with Beavers to themselves, on pain
of being subject to a fine of Three hundred guilders,
and suspension from trade for one year.

Preamble.

Runners
prohibited
going into
the Woods
after Indi-
ans.

Penalty.

Thus done in the Court of *Fort Orange* the 28
June, A° 1660.

ORDINANCE

Of the Director General and Council of New Netherland renewing the Ordinance against resorting to the North and South rivers without a Permit. *Passed 2 July, 1660.*

[N. Y. Col. MSS. IX. 212.]

Preamble.

WHEREAS the Director and Council of *New Netherland* find by experience that their published Ordinance enacted respecting Yachts and Sloops, issued on the 10 March, in the year 1648, is not duly observed and obeyed, but that many pretended Skippers, who are not Burghers of this City, or proprietors of real estate in this Province, do, contrary to the said Ordinance, resort to and navigate the South and North rivers of *New Netherland*, without having applied for and obtained a proper commission for so doing, which is directly contrary to the aforesaid Ordinance, therefore the Director General and Council, renewing the aforesaid issued Ordinance, do hereby warn all and every who as Skippers wish to resort and navigate the Rivers aforesaid and the places situate between both, with any Ships, Yachts or Sloops, previously to apply for and obtain a proper commission in due form. We Order and command our Fiscal not to grant any Passes to any person, unless he first exhibit such commission to him.

No person to resort to the South or North rivers, or intervening places without a commission.

Done at the Meeting of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, the 2 July, A° 1660.

ORDINANCE

the Director General renewing the Ordinances for the regulation of the Fur trade, and forbidding the Sale of Liquor to Indians at Fort Orange and Rensselaerwyck. *Passed 21 July, 1660.*

[N. Y. Col. MSS. IX. 349.]

THE Director General of *New Netherland* and Commissaries, having heard and examined the complaints respecting Running in the Woods and mischiefs consequent thereon, have been, as it, unable to discover any better expedient than renew and maintain the Ordinances heretofore acted on that subject, to wit:

That no person, of what nation or quality he may be, shall directly or indirectly send any Christians or Indians as Brokers into the Woods, either with or without presents, to fetch or entice any Indians, on the fine formerly affixed thereto and inserted in previous Ordinances.

No Runners to be sent into the Woods to intercept Indians.

Secondly, no person shall be allowed to take from Indians, either in the Woods, without or within the settlement, Houses or places, any Beavers, to carry them for the Indians, either on Horses, Carts or even on their backs, on a like fine.

Furs not to be taken from Indians on the plea of assisting them to carry their packs.

Thirdly, if it should come to pass that any Indians, either voluntarily, or induced so to do by other Indians, should come with their Peltries into any places either without or within the Village of *Beverwyck*, *Fort Orange* or Colonie of *Rensselaerwyck*, no person, of what Nation or quality he may be, shall either take the Peltries from such Indians against their will, or obstruct the passage of, much less impede, prevent or hinder, the Indians going with their Peltries wheresoever they please; and although they had either advanced, or caused others to give, any present on the Peltries, all such gifts or presents shall nevertheless only remain forfeited for the benefit of the Indian

Indians resorting to *Fort Orange*, &c. not to be deprived of their Furs, or prevented going wheresoever they please.

Penalty.

or Indians who may have received them, but he shall pay, in addition, Twenty-five pounds Flemish for the Officer who enforces and executes this Law.

Ordinance
against fur-
nishing
Liquors to
Indians
renewed,
and

To be
strictly
executed.

In prosecu-
tions under
this Law,
the accused
must prove
his inno-
cence.

Fourthly and lastly, the Ordinance and Regulation heretofore enacted by the Director General and Council aforesaid respecting the sale, giving or presenting of Wine, Brandy, Strong liquor or Beer to Indians, is hereby renewed, and the Sheriffs and officers, both of the Village of *Beverwyck* as well as of the Colonie of *Rensselaerwyck*, are hereby ordered and commanded this and the previously enacted Ordinances, Order and Regulation more strictly to enforce and to execute, as it ought to be, and in case they may lack sufficient proof against the Contraveners who may be accused before the respective Courts, the Commissaries of the Court respectively may, upon probable indication, oblige the accused to purge himself, and if he refuse, condemn him according to the exigency of the case.

Thus done in *Fort Orange* in *New Netherland*, the 21 July, A° 1660.

ORDINANCE

Of the Director General of New Netherland, imposing a Tax on Chimneys at Fort Orange. *Passed 25 July, 1660.*

[N. Y. Col. MSS. XVI. part III. 198.]

WHEREAS the Commissaries of *Fort Orange* and Village of *Beverwyck* have at one time and another represented to us the heavy expense they have undergone and incurred with our previous knowledge in putting up a Plank Fence at this place against a sudden incursion of Barbarians, and other outlays made for the repair of Bridges, &c., whereby the Public Treasury is very much exhausted, and many persons remain still unpaid for their materials, to supply which they have resolved to tax each Chimney once Three guilders, whereunto requesting our approbation and ratification, Therefore we Order and command all Inhabitants included within this settlement to pay the Chimney money on pain of execution.

Preamble.

Tax imposed on Chimneys at Fort Orange, to pay Town debt.

Done in *Fort Orange* the 25 July, A° 1660.

(Signed,) P. STUYVESANT.

ORDINANCE

Of the Director General and Council of New Netherland, erecting a
Court of Justice in Haerlem. *Passed 16 August, 1660.*

[N. Y. Col. MSS. IX. 371.]

THE Director General and Council of *New Netherland*,

To all those who shall see or hear these Presents read, Greeting, make known.

Preamble.

That for the benefit of the people, for the further promotion and advancement of the newly commenced Village of Haerlem, and for the more convenient administration of Justice, they have deemed it necessary to erect, in the aforesaid Village, an Inferior Court of Justice, which shall, provisionally, consist of the three undernamed Commissaries, to wit: *Jan Pietersen, Daniel Terneur, Peter Cresson*; before whom, in the first instance, shall be brought all Questions, Actions, and Differences arising in the said Village between Lord and Vassal, Master and Servant man, Mistress and Maid, Neighbor and Neighbor, Buyer and Seller, Lessor and Lessee, Master and Workman, and other such like; Item, all criminal actions consisting of Acts, Threats, Fighting or Wounding, whether moved and instituted by parties, or by the senior Commissary, who, until further Order, shall represent the Sheriff in that place.

Inferior
Court
erected at
Haerlem.

Names of
Magistrates.

Jurisdic-
tion of the
Court.

Senior
Magistrate
to act as
Sheriff.

Further
powers of
the Court.

Right
of Appeal
in actions
exceeding
50 guilders.

Said Commissaries shall do justice, to the best of their knowledge, between parties appearing before them, and may decree the providing of a Deposit, Discharge, or Definitive condemnation, as the circumstances of the case shall authorize.

But any party feeling himself aggrieved may appeal to the Director General and Council of *New Netherland*, according to custom here, from all judg-

ments exceeding Fifty guilders, pronounced by said Commissaries.

And said Commissaries ~~are~~ hereby specially commissioned and ~~authorized~~ to enact proper Ordinances, ~~that the arable~~ Lands and Gardens be carefully fenced, kept inclosed, and the broken fences properly repaired. They hereby command all Inhabitants of the aforesaid Village, who are already or who will hereafter come there, to respect and to acknowledge the aforesaid Commissaries for such as they are hereby qualified, and all that, until it be otherwise ordained by the Director General and Council aforesaid.

Magistrates to enact laws for fencing of Lands; and

To be respected and obeyed.

Thus done at the Meeting of the Director General and Council, holden in *Fort Amsterdam*, in *New Netherland*, the 16 August, 1660.

ORDINANCE

Of the Director General of New Netherland directing the Fencing and Improving of the Lands and Lots at the *Esopus*. *Passed 25 November, 1660.*

[N. Y. Col. MSS. XIV. 41.]

ALL persons who lay claim to any Lands or Lots in or around the settlement of the *Esopus*, whether within or without the Fortress are hereby [notified] to prepare and get ready, between this and next month, Timber and Palisades, and to fence and build on the Lots as that ought to be done, on the penalty of being deprived of the Lots, Gardens and Lands which they have obtained and being fined 25 guilders for the behoof of the settlement.

Lots at the *Esopus* to be fenced and improved on pain of forfeiture.

Every one is hereby warned to take heed of loss.

Done at the Settlement of the *Esopus* this 25 November, 1660.

P. STUYVESANT.

ADDITIONAL PRIVILEGES

Granted by the Directors in Holland to the Colonie of the City of Amsterdam, in the South River of New Netherland. 21 March, 1661.

[N. Y. Col. MSS. XIV. 87.]

Appoint-
ment of
Sheriff of
New Amstel,
granted to
the City of
Amsterdam.

WITH regard to the appointment of a Sheriff, this is granted to the City of *Amsterdam*, in the name of their High Mightinesses and the West India Company, as specified in Article 13, provided he take the oath of allegiance to their High Mightinesses and the Company.

Court of
New Amstel
to decide
definitely in
suits of 400
guilders, and
in Criminal
cases with-
out Appeal.

The amount to which the Schepens of *New Amstel* may give their judgments is raised to the sum of Six hundred guilders, and no Appeal is allowed in Criminal cases, and the Director General and Council shall be directed not to grant a reprieve except conformably to the Laws of this country.

Goods
for *New*
Amstel to
be brought
to the Com-
pany's Store
and there
marked on
payment of
the Duty.

With regard to the free conveyance of private Ships and Goods, the same is granted to the Colonie of *New Amstel*, upon the footing and regulation in force in this country and at *New Amsterdam* in the shipping of Goods, to wit: that they must be first carried to the Company's magazines and be there marked, provided payment of the duty is made here and in *New Amsterdam*.

ORDINANCE

Of the Director General and Council of New Netherland, erecting a Court of Justice at Bushwyck. *Passed 31 March, 1661.*

[N. Y. Col. MSS. IX. 570.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

That, for the benefit of the people, for the greater promotion and advancement of the newly commenced Village of *Bushwick*, and for the more convenient administration of Justice, they have deemed it necessary to erect in the aforesaid Village an Inferior Court of Justice, which shall provisionally consist of the three undernamed Commissaries, to wit: *Peter Jansen de Witt, Jan Tilje, Jan Cornelissen*, before whom, in the first instance, shall be brought all Questions, Actions and Differences arising in the said Village between Lord and Vassal, Master and Man-Servant, Mistress and Maid, Neighbor and Neighbor, Buyer and Seller, Lessor and Lessee, Master and Workman, and other such like: Item, all Criminal actions consisting of Deeds, Threats, Fighting and Wounding, whether moved and instituted by parties or by the senior Commissary, who, until further order, shall represent the Sheriff in that place.

Said Commissaries shall do justice, to the best of their knowledge, between parties appearing before them, and may decree the providing of a Deposit, Dismissal, or Definitive condemnation, as the circumstances of the Case shall authorize.

But any party feeling himself aggrieved may appeal to the Director General and Council of *New Netherland*, according to the custom here, from all judgments exceeding Fifty guilders, pronounced by said Commissaries.

Preamble.

Inferior Court erected at *Bushwick*.

Names of Magistrates

Jurisdiction of the Court.

Senior Magistrate to act as Sheriff.

Further powers of the Court.

Right of Appeal reserved in cases exceeding 50 guilders.

Magistrates
to enact
laws for
fencing of
Lands, and

To be
respected
and obeyed.

And said Commissaries are hereby specially commissioned and authorized to enact proper Ordinances that the arable Lands and the Gardens be carefully fenced, kept inclosed and the broken fences properly repaired. They hereby command all Inhabitants of the aforesaid Village who are already, or who will hereafter come there, to respect and acknowledge the aforesaid Commissaries for such as they are hereby qualified; and all that until it be otherwise Ordained by the Director General and Council aforesaid.

Thus done at the Meeting of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, the 31 March, 1661.

ORDINANCE

Of the Director General and Council of New Netherland erecting separate Courts of Justice for *Midwout* and *Amesfoort*. *Passed* 31 March, 1661.

[N. Y. Col. MSS. IX. 573.]

Representa-
tion of the
Magistrates
of *Ames-
foort*.

Amesfoort
and *Mid-
wout* to
have, each,
an Inferior
Court of
Justice, with
one Sheriff
who is also
to be Clerk.

ON the representation made to the Council by *Elbert Elbertsen* and *Peter Cornelissen*, Schepens in the Village of *Amesfoort* on *Long Island*, that much loss of time and much trouble are entailed, both on themselves and on the Inhabitants of *Amesfoort*, by said Villages having conjointly only one Bench of Justice, whereby those of *Amesfoort* must go most of the time to *Midwout* to Court, since it sits there three-quarters of the year and only one-quarter at *Amesfoort*; and having heard the opinion of the Sheriff and Secretary of said Villages, It is by the Director General and Council resolved, for the more convenient administration of Justice, to favor, as they do hereby favor, each of the said Villages, apart, with an Inferior Court of Justice, and both Courts

shall be attended by one Sheriff, who, until further Order and greater increase, shall act also as Secretary, and shall consist, beside the Sheriff, each of three Schepens, in which office the Director General and Council continue and hereby confirm for the Court of *Midwout*, for the present year, *Jan Snedicker*, *Jan Strycker*, *William Willemsen*.

Each Court to consist of the Sheriff and 3 Magistrates.

Names of Magistrates of *Midwout*

For the Court of *Amesfoort*, *Elbert Elbertsen*, *Peter Cornelissen*, and *Simon Jansen*.

and *Amesfoort*.

Which aforesaid Schepens shall regulate themselves, until further Order, by the Instruction heretofore granted on the 6 March, 1654, to the Inferior Court of Justice of the Villages of *Midwout* and *Amesfoort*, and in all occurring cases maintain good correspondence and friendship with each other.

Instruction of 6 March, 1654, to be the rule of each Court.

Thus done at the Meeting of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, 31 March, A° 1661.

ORDINANCE

Of the Director General and Council of New Netherland, further regulating the Weighinghouse. *Passed 11 April, 1661.*

[N. Y. Col. MSS. IX. 582.]

ALL Goods and Merchandises subject to the Scale, or Weight, shall, before they are sold, brought into or carried out of this City, be weighed by the sworn Weighmaster, for which the buyers and sellers conjointly, or otherwise the buyer or seller alone, according as it shall be stipulated in the condition of sale, shall pay for weighmoney in Beaver or in Wampum, 12 White or 6 Black [beads] for one stiver, as follows:

Goods to be weighed by the Weighmaster, prior to sale.

Fees of the Weigh-house.	For	15 Stivers per cent.	For	10 Stivers per cent.
	All sorts of Silk goods, Spun Silk, Cochineal, or Saffron,		Indigo, Preserves, Sugars,	
	Candles,		All sorts of Spices,	
	Tobacco,		Spanish leather,	
	Sarsaparilla,		Beavers,	
	Sassafras,		Dried Fish,	
	Elephants' teeth,		Salted meat,	
	All sorts of Dyewoods,		Pork, Tallow, Pitch,	
	Cotton and Cotton Yarn,		Sulphur, Harpuys,	
	Wool and Woolen Yarn,	5 Stivers per cent.	Cordage,	
	Dried hides,		Lead, Copper,	4 Stivers per cent.
	Copper Kettles,		Raisins, Iron,	
	Butter, Cheese,		Prunes,	
	Starch,		Rice,	
	Stockfish hout,		Hard Bread,	
	Hops, Grease,		Meal,	

For
fractions
of 100 lbs.

And for all odd quantities, weighing more or less than One hundred pounds, there shall be paid, from one to 25 pounds, one-fourth part of the hundred; from 26 lbs. to 50 lbs. inclusive, half fee; from 51 to 75 lbs. $\frac{3}{4}$ of the hundred, and above 75 lbs. to a hundred lbs., full fee. But inasmuch as a man may deliver, at the same time, to one and the same person, more than one quantity of the same sort of Goods, all said quantities or weights of the one shall be added to the other, and payment made therefor according to the product of the whole; and for each lot or draft weighed, shall be paid $\frac{3}{4}$ of one stiver.

Goods to
pay Weigh-
fees as often
as sold.

And all Goods subject to be weighed, or that are to be sold by weight, shall pay the Weighmoney as often as they are sold, transported, transhipped or removed. But in order to avoid the heavy charge for labor, with which Goods may be burdened, in carrying them to, and bringing them from, the Weighing House, either in Cart, Sleigh, or Boat, the delivery may be made from ship to ship, or from house to house by the shortest and quickest way; provided that, before the transportation or removal take place, the Weighmaster be notified thereof, and

But may
be delivered
from ship
to ship or
house to
house, on
payment
of the fees.

the Weighing fee be paid ; on pain of forfeiting the Wares and Merchandises, or the just value thereof, or otherwise, according to the discretion of the Honorable Director General and the Supreme Council.

Penalty

Item. Any Wares or Merchandises sold by the lot or parcel, shall not be delivered before and until they are weighed, but the contracting parties can send for the Weighmaster, the scales and weights *in loco*, and have the Wares and Merchandises weighed there and so delivered, on paying the Weighmaster four guilders per day, and the like sum for the use of the scales and weights ; but if the buyer or seller have his own scales or weights, it will be sufficient for him to pay only the Weighmaster.

Goods sold by the lot to be weighed prior to delivery,

But may be weighed on the premises, on payment of fees.

Only the Goods and Merchandises which are brought to, or received at the Weighinghouse, and belong to the Hon^{ble} Company, to this City, to the Board of Deacons and other Charitable Institutions, being really and truly their property, and to be converted to their use, shall be exempt from the fee for weighing ; All which the Weighmaster must weigh gratis, and for God's sake.

Goods exempt from the fee for Weighing.

The Director General and Council reserve to themselves, with the advice and ratification of the Hon^{ble} Directors, the Lords and Patroons of this City, to alter, diminish, or to enlarge this Regulation according to the circumstances of the time and condition of affairs.

Right of altering the Law reserved.

Whereas divers complaints are made by the Weighmaster, in regard to the trouble and difficulties he experiences in collecting the fees for Weighing, inasmuch as some persons make him run after them a year and a day, and that frequently for small sums, therefore, the Director General and Council do Ordain that, from this time forth, the fee for Weighing shall be promptly given and paid to the Weighmaster, before the Goods are removed elsewhere from

Fees of Weighmaster to be paid before the Goods are removed.

the Weighinghouse, unless the Weighmaster consent thereto.

Thus done, in *Fort Amsterdam*, in *New Netherland*, this 11 April, A° 1661.

ORDINANCE

Of the Director and Council of Rensselaerswyck forbidding the trading with Indians in the Woods. *Passed 25 March, 1661; Approved 25 April, 1661.*

[N. Y. Col. MSS. IX. 591.]

Preamble.

WHEREAS the killing of Horses, Cows, Hogs, and the damage to Bouweries, &c., by the Indians of these parts, in consequence of the Trade carried on with them, and by some idle stragglers among them, and those who come hither on that business from some other place, have, to the regret and serious damage of the Colonie *Rensselaerswyck*, been more and more experienced, Therefore, the commissioned Director and Council of the Colonie aforesaid, in order to provide therein as much as possible, do hereby expressly interdict and forbid the Inhabitants of the Colonie and all and every whom these may concern, or who are found within the precincts of this Colonie, of what condition or quality they may be, going up the River with boats, or into the Woods, or roving anywhere else outside their houses or lodgings, or sending any person out to entice or drag Indians in, or accompanying them out of doors in order to trade directly or indirectly with them, on the penalty of Fifty guilders, and the forfeiture of the Peltries or goods, and also the Boat or Canoe which shall be found with such contraveners and violators hereof.

Inhabitants of *Rensselaerswyck* forbidden going or sending any person up the River or into the Woods, to entice Indians for trading purposes.

Penalty.

Compared by me,

(Signed,)

D. V. SCHELLUYNE, *Secretary.*

The preceding draft of an Ordinance being read and considered, the Director General and Council of *New Netherland* do not only hereby approve the same, but command the Officer of that Colonie duly to put the same into execution after having been properly published and posted, together with the Edicts and Ordinances of said Director General and Council heretofore enacted on the same subject, against all Contraveners and Violators, and they will also write to and order the Vice-director and Commissaries of *Fort Orange* and Village of *Beverwyck*, to the same effect.

Ratification.

Thus done in *Fort Amsterdam* in *New Netherland*,
25 April, 1661.

ORDINANCE

Of the Director General and Council of New Netherland for the erection of a Court of Justice at Wildwyck. *Passed 16 May, 1661.*

[N. Y. Col. MSS. IX. 607.]

Petrus Stuyvesant, on behalf of High and Mighty Lords States General of the *United Netherlands*, the Hon^{ble} Directors of the Incorporated West India Company, Director General of *New Netherland*, *Curacao*, *Bonaire*, *Aruba*, and their dependencies, together with the Council,

To all those who shall see these Presents, or hear them read, Greeting, make known.

THAT their Honors do not hope or wish for any thing else than the prosperity and welfare of their good Inhabitants in general, and in particular of the People residing in the Village of *Wildwyck*, situate in the *Esopus*, and in order that such may be effected and preserved with greater love, peace and unity, and to manifest and, indeed, to prove to every Inhabitant of the abovemaned Village the

Preamble.

Inferior
Court of
Justice
erected in
Widoweyck.

Right of
Appeal
reserved.

Qualifica-
tion of Mag-
istrates.

Court to
consist of
a Schout, to
act as pres-
ident, and

Three
Schepens.

Names
of the
Schepens.

Court
to decide
Civil actions
to the
amount of
80 guilders,
without
appeal.

effect thereof, the Director General and Council aforesaid, considering the increase and population of said Village, have therefore resolved to favor its Inhabitants with an Inferior Court of Justice, and to constitute it, as much as possible and the circumstances of the Country permit, according to the landable custom of the City of *Amsterdam* in *Holland*, but so that all judgments shall remain subject to reversal by, and an appeal to the Director General and Council of *New Netherland*, to be by their Honors finally disposed of.

In order that all things there may be performed with proper order and respect, it is necessary to choose, as Judges, honest, intelligent persons, owners of real estate, who are lovers of peace and well affected subjects of their Lords and Patroons, and of their Supreme government established here, promoters and professors of the Reformed Religion, as it is at present taught in the Churches of the *United Netherlands*, in conformity to the Word of God, and the order of the Synod of *Dordrecht*. Which Court of Justice, for the present time, until it shall be herein otherwise Ordained by the said Lords, Patroons, or their Deputy, shall consist of one Schout, being on the spot, who shall, in the name of the Director General and Council, convoke the appointed Schepens and preside at the Meeting; and with him, of three Schepens, to which office are, for the present time and ensuing year, commencing the last of next May, elected, and on having taken the Oath, are confirmed by the Director General and Council, *Evert Pels*, *Cornelis Baerentsen Sleght* and *Elbert Heymans Rose*.

Before whom all matters touching civil affairs, security and peace of the Inhabitants of the *Esopus*, also justice between Man and Man, shall be brought, heard, examined and determined by definitive

judgment to the amount of Fifty guilders and under without appeal; when the sum is larger, the aggrieved party shall be at liberty to appeal to the Director General and Council aforesaid, provided that he enter the appeal within the proper time* and give security, according to law, for the principal and costs of the suit.

Suits for higher sums appealable to the Director and Council.

In case of disparity of votes and opinions on any occurring cases, the minority shall coincide with the majority without any contradiction. But those who are of a different advice and opinion can cause their advice and opinion to be entered on the roll or record; but in no wise make public their rendered advice outside the Court, nor make it known to parties, under arbitrary correction at the discretion of the Court itself.

Majority of the Court to decide; but the

Minority may have their opinions recorded, but not divulged.

The Schout shall, pursuant to the first Article, preside in the meeting, and collect the votes; also act as Secretary until further order and increase of the population. But if he have to act for himself as a party, or in behalf of the right of the Lords Patroons, or in behalf of justice for the right of the Fiscal, in such case he shall rise up and absent himself from the Bench, and then have no advisory, much less a casting, vote; but one of the senior Schepens shall, in such case, preside in his place.

Schout to preside and act as Clerk

Except he be a party to a suit, or act as public prosecutor.

Senior Schepen then to be president.

What is set forth in the preceding article of the Schout, shall also apply to the Schepens, whenever any cases or questions arise in the aforesaid Court between themselves as parties, or between others related by consanguinity to the appointed Schepens, such as brothers, brothers-in-law or cousins in the first or direct line.

Schepens not to act as judges when parties in a suit, or relatives of such parties.

All Inhabitants of the *Esopus* shall, until further Order, either of the Lords Patroons or their Supreme

Inhabitants of *Esopus* amenable to said Court.

*Ten days. *Wassenaar, Praxis Judiciæ. Tr.*

government, be amenable to, and subject to be cited before said Schout and Commissaries, who shall hold their Session and Court meeting in the Village aforesaid once a fortnight, harvest time excepted, unless necessity and circumstances otherwise require.

Court to sit once a fortnight, except in harvest.

Schepens to appear on proper notification at the time appointed on pain of being fined;

President, if absent, subject to double fine, unless

In cases of sickness or absence.

Penalty for appearing too late.

Provision for Extraordinary Courts.

Costs in such cases.

Cases of Crime to be referred to the Director and Council; but Court may arrest, and imprison persons charged with crime, until sent to *New Amsterdam*, with the information against them.

In order to provide the good *Inhabitants of Wiltwyck* with cheap and inoppressive justice, the Schout, as president, and the Schepens of the Court, must, for the convenience of parties, appear on the Court day, and at the place appointed, on the fine of Twenty stivers, to be at the disposition of the Board; they being notified, at least twenty-four hours before the Court day, to appear, by the Court messenger, to be appointed by the Director General and Council; and double as much for the President, unless excused by sickness or absence. If appearing too late, and after the appointed hour, the fine shall be Six stivers.

Extraordinary Courts shall not be ordered at the cost and charges of parties, except on the application of both parties, under submission to costs on loss of the suit, which costs shall previously be deposited by the applicant or appellant, to wit: For each Schepen, Fifty stivers; for the President, Three guilders, besides the provision for the Clerk and Court messenger, to be hereafter appointed, and other ordinary costs according to law.

All cases of Crime shall be referred to the Director General and Council of *New Netherland*, saving that those of the Court may, and are bound to apprehend, arrest, and to detain and hold in confinement, all Criminal delinquents until they can send them under proper guard to the Supreme government, and, in the meantime, take good and correct information touching the Crime committed, at the cost of the Criminal or the Treasury, and such transmit the same time with the delinquent.

Minor offenses, such as Brawls, Injuries, Scolding, Striking with the fist, Threats, simple Drawing of a Knife or Sword without assault or bloodshed, are left to the adjudication and decision of the Court aforesaid, in which cases the Schout there shall have power to act before the Court as prosecutor, saving, nevertheless, the clause of Appeal, in case the condemned may find himself aggrieved by the sentence of the Court.

Misdemeanors, assaults, and petty offenses, to be decided and adjudged by the Court.

Schout to act as prosecutor.

Right of Appeal reserved.

All cases of Major crimes, and delinquents charged with Wounding and Bloodshedding, Whoredom and Adultery, public and notorious Theft, Robberies, Smuggling of Contraband articles, Blaspheming and profaning God's holy name and religion, Slandering and calumniating the Supreme Government or its representatives, shall, after the information, affidavits and testimony have been taken, be referred to the Director General and Council of *New Netherland*.

Persons accused of Major offenses, and the informations in the case, to be sent to the Director General.

Should the situation of affairs so require that the President and Schepens consider it necessary, for the greater security of the peace and quiet of the Inhabitants, to enact, in the absence of the Director General and Council, some Ordinances for the greater advantage and contentment of the aforesaid Village and Court in the abovementioned district, respecting Surveys, Highways, Outlets, Posts and Fences of Lands, laying out of Gardens, Orchards and such like matters that may most concern the flat country and agriculture; also, in regard to the building of Churches, Schools and similar public works, and the means how and by which the same are to be effected, they are to commit to writing their opinions thereupon, and deliver them to the Director General and Council, with the reasons upon which they are founded, annexed, in order, if such be deemed necessary and useful, that they may be confirmed,

Court empowered to draw up Local By-laws or Ordinances and submit them for the approval of the Director and Council.

approved and ordered by the Director General and Council.

Laws of
Holland,
and the
Ordinan-
ces of the
Director and
Council to
be observed.

Said Schout and appointed Schepens shall also be particularly careful, and be bound strictly to observe and cause to be observed, the Laws of our Fatherland, and the Ordinances and Edicts of the Hon^{ble} Director General and Council heretofore Ordained and published, or hereafter to be Ordained and published, and not to suffer anything to be done contrary thereto, but to see that the contraveners be proceeded against according to law.

No Ord-
nances to be
made or
published,
except by
consent of
the Director
and Council.

Said Schout and Court shall not have power to enact, publish, much less to post up, any Ordinances, Edicts, or such like Acts, except with the previous knowledge and consent of the Director General and Council.

Court
to assist in
maintaining
the Rights
and Prero-
gatives of
the West
India Com-
pany.

The Schout and Schepens shall also be particularly careful, and be bound to assist the Hon^{ble} Directors, as Lords and Patroons of this Province of *New Netherland*, under the Sovereignty of their High Mightinesses, the Lords States General of the *United Netherlands*, and them to help to maintain in their Supreme Jurisdiction, Right and Domains, and all other their Prerogatives.

Provision
for choosing
new Magis-
trates.

Whereas, it is customary in our Fatherland and other well regulated governments, that some change be made annually in the Magistracy, so that some new ones come in, [and] a few continue in order to inform the new; the Schepens now appointed shall pay due attention to the conversation, demeanor and fitness of honest and decent persons, inhabitants of their respective Village, in order to be able, about the time of changing or election, to furnish the Director General and Council with correct information, as to who may be found fit, so that some may be then elected by the Director General and Council.

Schepens to
observe the
demeanor
of Settlers,
in order to
be able to
report the
names of
proper per-
sons for
election.

Thus done and given, at the Meeting of the Director General and Council, holden in *Fort Amsterdam*, in *New Netherland*, the 16 May, A° 1661.

NOTE. — On 25 April, 1664, the above Ordinance was, on petition, so far modified, as to authorize the Court of *Wildwyck* to enact By-laws, and Ordinances, such as the circumstances of the place and the settlers may require, on condition that they first submit them, with reasons on which they are grounded, to the Director General and Council for their approbation, and obtain the same, unless such could not be done in consequence of the Winter season. In that case, the Court was empowered to issue and execute provisional Ordinances, provided they submit them on the earliest opportunity, to the Director, &c., for approval. *N. Y. Col. MSS. X. pt 3, 205, 206. Tr.*

Court empowered to enact provisional Town-laws in Winter.

ORDINANCE

Of the Director General and Council of New Netherland against False entries at the Custom House. *Passed 23 June, 1661.*

[*N. Y. Col. MSS. IX. 661.*]

WHEREAS the Director General and Council of *New Netherland* daily see, by experience and remark, that the Hon^{ble} Company are wronged and defrauded to a considerable degree, because many Merchants, Factors and Traders not only do not scruple to conceal the true quantity and number of the shipped Peltries and other merchandises, but also, in addition, value and appraise the amount entered nearly one-half less than they are indeed worth, for which then provision must necessarily be made; Wherefore the Director General and Council of *New Netherland* do hereby notify, inform and warn all Merchants, Factors and Traders not to ship off or send away any Peltries. either in case or package, unless the same are first brought into the Hon^{ble} Company's store, and there inspected and appraised; hereby ordering the Fiscal and Commissary of the Store not to grant any Permits to ship any Peltries, unless the same are, pursuant to this Ordinance, first brought into the

Preamble.

Furs to be brought to the Company's Store for inspection and appraisal.

Permits for shipping Furs not to be granted until the Peltries are inspected and appraised.

Hides and Tobacco for Exportation to be marked at the Company's Store and shipped only from the Pier.

Company's Store, and there inspected, appraised and marked with the Company's mark, as they ought to be. Regarding Hides and Tobacco, they shall, in like manner, before they are shipped, be brought into or in front of the Company's Store, there marked, and shipped off only from the Pier and from no other place.

Thus done at *Fort Amsterdam* in *New Netherland*
Date as above.

ORDINANCE

Of the Director General and Council of New Netherland for the Collection of the Tenth within the district of Breuckelen. *Passed 6 July, 1661.*

[N. Y. Col. MSS. IX. 687.]

THE Director General and Council of *New Netherland* make known.

Tenths of Breuckelen, the Ferry, Gouwanus and the Waalebocht farmed.

That we have sold to *Warnaer Wessels* and Mr. *Paulus van der Beeq*, the Tenths belonging this year, 1661, to the Lords Patroons from the Village of *Breuckelen*, The *Ferry*, *Gouwanus* and *Waalebocht* unto the Bouwery of *Hans Hansen*, deceased, inclusive. We, therefore, Order and command all and every within the aforesaid jurisdiction residing, and whomsoever such may in any wise concern, not to remove any Grain, Peas, Maize, or Tobacco from the land, before and until they have agreed for the Tenths with the above mentioned persons, or

Crops not to be removed from the field, until the owners have agreed for the Tenths; otherwise, the Tenths to be told out.

their Agents, or the Tenths have, according to the custom and order of our Fatherland, been counted out by the said persons or their Agents; under a fine of Fifty guilders, to be forfeited, over and above the just value of the Tenths, by whomsoever shall happen to act contrary hereunto.

Penalty.

Done at *Fort Amsterdam* in *New Netherland*, the 6 July, A° 1661.

ORDINANCE

Of the Director General and Council of New Netherland erecting a
Court of Justice at Bergen. *Passed 5 September, 1661.*

[N. Y. Col. MSS. IX. 765.]

PETRUS STUYVESANT, on behalf of the High and
Mighty Lords States General of the *United Netherlands*, the Hon^{ble} Directors of the Incorporated West
India Company, Director General of *New Netherland*,
Curacao, *Bonaire*, *Aruba* and their dependencies,
together with the Council,

To all those who shall see these Presents, or hear
them read, Greeting, make known.

That their Honors do not hope or wish for any Preamble.
thing else than the prosperity and welfare of their
good Inhabitants in general, and in particular of the
People residing in the Village of *Bergen*, situate on
the West side of the North River, and in order that
such may be effected and preserved with greater love,
peace and unity, and to manifest and to prove in
deed to every Inhabitant of the abovementioned Vil-
lage the effect thereof, the Director General and
Council aforesaid, considering the increase and popu-
lation of said Village, have therefore resolved to favor
its Inhabitants with an Inferior Court of Justice, and
to constitute it as much as possible, and as the cir-
cumstances of the Country permit, according to the
laudable custom of the city of *Amsterdam* in *Hol-
land*, but so that all judgments shall be subject to
reversal by, and an appeal to, the Director General
and Council of *New Netherland*, to be by their Honors
finally disposed of.

Inferior
Court of
Justice
erected at
Bergen.

Right of
Appeal
reserved.

In order that all things there may be performed
with proper Order and respect, it is necessary to
choose, as Judges, honest, intelligent persons, owners
of real estate, who are lovers of peace and well

Qualifica-
tion
of Magis-
trates.

affected subjects of their Lords and Patroons, and of their Supreme government established here, promoters and professors of the Reformed Religion, as it is at present taught in the Churches of the *United Netherlands*, in conformity to the Word of God, and the Order of the Synod of *Dordrecht*. Which Court of Justice, for the present time, until it shall be herein otherwise Ordained by the said Lords Patroons, or their Deputy, shall consist of one Schout, being on the spot, who shall, in the name of the Director General and Council, convoke the appointed Schepens and preside at the Meeting; and with him, of three Schepens, to which Office are, for the present time and ensuing year, commencing the 20th of this month, elected by the Director General and Council, *Michael Jansen, Harmen Smee-man* and *Caspar Stynmets*.

Court to consist of a Schout, to act as president, and of Three Schepens.

Names of Schepens.

Court to decide Civil actions to the amount of 50 guilders, without appeal.

Suits for higher sums appealable to the Director and Council.

Majority of the Court to decide: but the

Minority may have their opinions recorded, but not divulged.

Before whom all matters touching civil affairs, security and peace of the Inhabitants of *Bergen*, also justice between Man and Man, shall be brought, heard and examined, and determined by definitive Judgment to the amount of Fifty guilders and under, without appeal; when the sum is larger, the aggrieved party shall be at liberty to appeal to the Director General and Council aforesaid, provided that he enters the Appeal within the proper time, and gives security, according to law, for the principal and costs of suit.

In case of disparity of votes and opinions on any occurring cases, the minority shall coincide with the majority, without any contradiction. But those who are of a different advice and opinion can cause their advice and opinion to be entered on the roll or record; but in no wise make public their rendered advice outside the Court, nor make it known to parties, under arbitrary correction, at the discretion of the Court itself.

The Schout shall, pursuant to the first Article, preside in the meeting and collect the Votes; also act as Secretary until further Order and increase of population. But if he have to act for himself as a party, or in behalf of the right of the Lords Patroons, or in behalf of justice for the right of the Fiscal, in such case he shall rise up and absent himself from the Bench, and then have no advisory, much less a casting, vote; but one of the senior Schepens shall, in such case, preside in his place.

Schout to
preside,

Except he
be a party
to the suit,
or act as
public pro-
secutor.

Senior
Schepen
then to
preside.

What is set forth in the preceding Article of the Schout, shall also apply to the Schepens, whenever any cases or questions arise in the aforesaid Court between themselves as parties, or between others related by consanguinity to the appointed Schepens, such as brothers, brothers-in-law and cousins in the first or direct line.

Schepens
not to act as
judges when
parties to a
suit, or
relatives of
parties.

All Inhabitants of *Bergen* shall, until further Order, either of the Lords Patroons or their Supreme government, be amenable to and subject to be cited before said Schout and Commissaries, who shall hold their Session and Court meeting in the Village aforesaid every 14 days, harvest time excepted, unless necessity and circumstances otherwise require.

Inhabitants
of *Bergen*
amenable
to said
Court.

Court to sit
once a fort-
night, ex-
cept in
harvest.

In order to provide the good Inhabitants of *Bergen* with cheap and inoppressive justice, the Schout, as president, and the Schepens of the Court, must, for the convenience of parties, appear on the Court day, and at the place appointed, on pain of forfeiting Twenty stivers, at the disposition of the Board; they being notified, at least twenty-four hours before the Court day, to appear, by the Court messenger to be appointed by the Director General and Council; and double as much for the President, unless excused by sickness or absence. If appearing too late, and after the appointed hour, the fine to be Six stivers.

Magistrates
to appear on
proper noti-
fication at
the time
appointed
on pain of
being fined;

President,
if absent,
subject to
double fine,
Unless in
case of
sickness.

Penalty for
appearing
too late.

Provision
for extra-
ordinary
Courts.

No extraordinary Court shall be Ordered at the cost and charges of parties, except on the application of both parties, under submission to costs on loss of the suit, which costs shall previously be deposited by the applicant or appellant, to wit: For each Schepen, Fifty stivers; for the President, Three guilders, besides the fee for the Clerk and Court messenger to be hereafter appointed, and other Ordinary costs according to law.

Cases of
crime to
be referred
to Director
and Council.

All cases of Crime shall be referred to the Director General and Council of *New Netherland*; saving that those of the Court may, and are bound to, apprehend, arrest, and to detain and hold in confinement all Criminal delinquents until they can send them under proper guard to the Supreme government, and, in the meantime, take good and correct Information touching the crime committed, at the cost of the Criminal, or the Treasury, and such transmit at the same time with the delinquent.

Persons
charged
with crimes
to be arrest-
ed and sent,
under
guard,
to *New Am-
sterdam*,
with the in-
formations
against
them.

Mindemean-
ors, assaults
and petty
offenses to
be adjudged
by the
Court.

Minor offenses, such as Brawls, Slanders, Scolding, Striking with the fist, Threats, simple Drawing of a knife or sword without assault or bloodshed, are left to the adjudication and decision of the Court aforesaid, in which cases the Schout there shall have power to act before the Court as Prosecutor, saving nevertheless the clause of Appeal, in case the condemned may find himself aggrieved by the sentence of the Court.

Schout to
act as pros-
ecutor.

Right of
Appeal
reserved.

Persons
accused of
graver of-
fenses to be
sent, with
the infor-
mations
against
them, to the
Director
General.

All cases of Major crimes and Delinquents charged with Wounding and Bloodshedding, Whoredom, Adultery, public and notorious Theft, Robberies, Smuggling of contraband articles, Blasphemy, and Profanation of God's Holy name and religion, Slandering and Calumniating the Supreme government, or its Representatives, shall, after the information, affidavits and testimony have been taken, be

referred to the Director General and Council of *New Netherland*.

Should the situation of affairs so require that the President and Schepens consider it necessary for the greater security of the peace and quiet of the Inhabitants, to enact, in the absence of the Director General and Council, some Ordinances for the greater advantage and contentment of the aforesaid Village and Court in the abovenamed District, respecting Surveys, Highways, Outlets, Posts and Fences of lands, laying out of Gardens, Orchards, and such like matters that may most concern the Flat country and agriculture; also, in regard to the building of Churches, Schools and similar public Works, and the means, how, and by which the same are to be effected, they are to commit to writing their opinions thereupon, and deliver them to the Director General and Council, with the reasons upon which they are founded, annexed, in order, if such be deemed necessary, and useful, that they may be confirmed, approved and ordered by the Director General and Council.

Court empowered to draw up Local By-laws or Ordinances and submit them for the approval of the Director and Council.

Said Schout and appointed Schepens shall also be particularly careful, and be bound strictly to observe, and cause to be observed, the Law of our Fatherland, and the Ordinances and Edicts of the Hon^{ble} Director General and Council heretofore Ordained and published, or hereafter to be Ordained and published, and not to suffer anything to be done contrary thereto, but to see that the contraveners may be proceeded against according to Law.

Laws of Holland and the Ordinances of the Director and Council to be observed.

Said Schout and Court shall not have power to enact, publish, much less to post up, any Ordinances, Edicts, or such like Acts, except with the previous knowledge and consent of the Director General and Council.

No Ordinances to be made or published, except by consent of the Director and Council

Court to assist in maintaining the rights and prerogatives of the West India Company.

The Schout and Schepens shall also be particularly careful, and be bound to assist the Hon^{ble} Directors, as Lords and Patroons of this Province of *New Netherland*, under the Sovereignty of their High Mightinesses, the Lords States General of the *United Netherlands*, and them to help to maintain in their Supreme Jurisdiction, Right and Domains, and all other their Prerogatives.

Provision for choosing new Magistrates.

Whereas it is customary in our Fatherland and other well regulated Governments, that some change be made annually in the Magistracy, so that some new come in, and a few continue in order to inform the new, the Schepens now appointed shall pay due attention to the Conversation, Demeanor, and Fitness of honest persons, inhabitants of their respective Villages, in order to be able, about the time of changing or election, to furnish the Director General and Council with correct information, as to who may be found fit, so that some may be then elected by the Director General and Council.

Schepens to observe demeanor of settlers so as to be able to report the names of proper persons for election.

Thus done and given, at the Meeting of the Hon^{ble} Director General and Council, holden in *Fort Amsterdam*, in *New Netherland*, the 5 September, 1661.

ORDINANCE

Of the Director General and Council of New Netherland commanding the Inhabitants of certain Towns to take out Patents for their Lands. *Passed 15 September, 1661.*

[N. Y. Col. MSS. IX. 788.]

ALL Inhabitants of *New Netherland*, and especially those of the Village of *Bergen*, on the West side of the North River; also all others who have or claim any Lands thereabout, are Ordered and commanded that they, within the space of three months after the date hereof, at latest, before the first of January next, shall have all the cultivated and uncultivated Lands which they claim, surveyed by the sworn Surveyor, and set off and designated by proper marks, and on the exhibition of the Return of survey thereof, apply for and obtain a regular Patent as proof of property, on pain of being deprived of their right, to the end that the Director General and Council may dispose, as they may deem proper, of the remaining Lands which, after the survey, may happen to fall outside of the Patents, for the accommodation of others. All are hereby warned against loss and after complaints.

Inhabitants of *Bergen* and other Towns, to have their lands surveyed, and to take out Patents therefor.

Penalty,

Thus done in *Fort Amsterdam* in *New Netherland*, the 15 September, 1661.

NOTE.—Copy of the above, *mutatis mutandis*, was transmitted to *Bergen, Boswyck, Haerlem, Middleburgh, Utrecht, Amesfoort, Midwout and Breuckelen*. TR.

ORDINANCE

Of the Director General and Council of New Netherland against
Offsetting claims of persons in the public service against payment
of Duties. *Passed 22 October, 1661.*

[N. Y. Col. MSS. IX. 881.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents, or hear
them read, Greeting, make known.

Preamble.

WHEREAS, we have learned, and by experience
have found, that some self-interested persons find
means to apply to the Hon^{ble} Company's Servants, and
to others who have anything owing to them by, or
any claim against, the Company, and to amuse them
with trifles, in order by that means to obtain an
assignment on the Company's books of account,
which, having received, they deduct and offset it not
only from their own Duties but also from those of
others, which tends to the great loss and prejudice
both of the Hon^{ble} Company and its Servants, as
the Hon^{ble} Company is, by that means, defrauded
of the Beavers, and their Servants of the just
value of the payment which they otherwise would
receive from the Company, inasmuch as the Goods
on account of the Company are ordinarily charged
to, and forced by these self-interested persons on, the
public Servants at, over 50 % cent more than people
could purchase them for Beaver.

Goods de-
livered to
individuals
not to be
allowed as
an offset
against
Duties,
except on
the order of
Director
General, or
Secretary.

In order to prevent such practices in future, the
Director General and Council of *New Netherland* do,
therefore, hereby notify and warn all and every
whom these in any wise concern, that, from now
henceforth, no delivered Goods shall avail, or be
accepted on account, or in payment of Duties, unless
the party delivering them do show, by the signature
of the Director General, or, in his absence, of the

secretary and Receiver *Van Ruyven*, that he had an order and consent thereto. Let everyone be warned hereby, and save himself from loss.

Thus done in *Fort Amsterdam*, in *New Netherland*, the 22 October, Anno 1661.

ORDINANCE

Of the Director General and Council of New Netherland making provision for the Poor. *Passed 22 October, 1661.*

[N. Y. Col. MSS. IX. 663.]

WHEREAS the Deacons of this City have informed us of the many applications and great trouble which they daily experience from persons residing in the outlying Villages, with whose characters and wants they are utterly unacquainted, so that their Treasury is thereby greatly diminished, and they would, by that means, be unable to assist the Poor and Needy of this City, requesting that seasonable provision be made therein; We, therefore, in order to prevent the future recurrence thereof, have resolved and decided, to the end that the Lazy and the Vagabond may as much as possible be rebuked, and the really Poor the more assisted, and cared for, that from this time forward, no assistance shall be given by the Deacons of this City, to any persons residing outside the jurisdiction of this City, unless they bring with them from the Deacons, or Overseers of the Poor at the place of their residence, a certificate of their character and poverty in manner as follows:

N. N. residing under the jurisdiction of N. N. hath applied to us for some assistance and support, and, as his character and poverty are well known to us, we would willingly have provided him therewith, but the low state of our Treasury hath not allowed us to do so. We have, therefore, to request, on his behalf,

Preamble.

Poor outside of *New Amsterdam* not to be assisted by the Deacons of that city, unless they bring certificate of character, &c.

Form of certificate.

the Deacons of the City of *Amsterdam* in *New Netherland* to lend him a helping hand according to their usual discretion. Done, &c.

And the persons who shall bring with them such certificate shall be provided for, and assisted here as circumstances permit.

Collections
for the Poor
to be taken
up in each
Village.

But in order that each Village or Settlement may be the better able to assist and support its own Poor, it is further Resolved and decided, that, from this time forward, in all Villages and Settlements, collections shall be made and something laid up for the Poor and Needy. That such may be put in practice, as well in the Villages where there is Preaching, as in those where there is no Preaching, the Director General and Council of *New Netherland* do hereby Order and command all Magistrates of the Villages where there have been no Ministers hitherto, that each in his respective Village or Settlement shall nominate and qualify two proper persons, who shall go around every Sunday with a little bag among the congregation and collect the Alms for the support of the Poor of that place, and then, if they fall short, they shall address themselves in the manner as above set forth to the Deacons of this City. Hereby notifying and warning all respective Magistrates that, in case they neglect to have weekly collections made in manner as aforesaid, they shall, for such neglect, be corrected as the case may require.

Two persons
to take up a
collection
every Sunday,
in each
congregation,
for the
Poor.

Magistrates
neglecting
to have such
collection
taken up to
be punished.

Done in *Fort Amsterdam* in *New Netherland*, the 22 October, 1661.

NOTE.—This is the first Law enacted in the State of *New York* providing for the support of the Poor. Under what are known as The Duke's Laws, the support of the Poor was, subsequently, made a Parochial or Town charge. In 1683, the maintenance of the Poor became a County charge. TR.

ORDINANCE

Of the Director General of New Netherland imposing a Land tax at Esopus, to defray the expense of building a Minister's house there.
Passed 12 November, 1661.

[N. Y. Col. MSS. IX. 888.]

THE Schout and Commissaries of the Village of *Preamble.*
Wiltwyck, in the *Esopus*, having exhibited to me, the undersigned, in my quality of Director General of this Province of *New Netherland*, the account, both of the materials and wages for labor already due and earned on the new house for the Minister, and requesting, at the same time, advice and consent how, and in what wise, the same is to be procured from the Commonalty, to the end that the Creditors of the delivered materials and wages for labor may obtain what is due them, it is hereby consented and Ordained, that said Schout and Commissaries shall have power to levy and collect from every Morgen of land, whether of pasture or tillage land, which any one about the aforesaid Village occupies or claims as his own, one Rix dollar per Morgen, Beaver value, in good Wheat, payable one-half down, and the other half, without fail, next summer; and, further, from the other Inhabitants, who possess only Lots and no Lands, according to their means. And the one and the other being heard in our presence thereupon, are assessed in manner as follows:

Tax imposed on Lands to pay arrears due for building Minister's house at *Wiltwyck*.

		Names of persons assessed.
Jurriaen Westvael, tenant on Balthasaer Lasar Stuyvesant's bouwery, cont ^d	25	
morgens,	f.62 10	
The Hon ^{ble} Director General for a point, 12		
morgens,	30	
Jurriaen Westvael, for his own land, 28		
morgens,	70	
Thomas Chambers, 2 bouweries, each 40		
morgens,	200	

Evert Pels, his bouwery, 36 morgens,	f.90
Albert Heymans, on the bouwery of Jacob Janse Stol's widow, 30 morgens,	90
Roeloff Swartwout, tenant on the bouwery of Jacob Jansen Stol's widow, containing 43 morgens,	107 10
Cornelis Barentsen Slecht, tenant on the bouwery of M ^{me} d' Hulter, 64 morgens,	160
Cornelis Barentsen Slecht's own claimed land, for which he has neither survey nor patent, estimated at 25 morgens,	62 10
M ^{me} de Hulter's unsurveyed pasture land, estimated at 25 morgens,	62 10
Albert Gysbert's land, 20 morgens,	50
Aert Jacob's land, 47 morgens,	117 10
Tjerck Claesen's land, 50 morgens,	125
Aert Pietersen Tack, 20 morgens,	40
Michiel Foure, 4 morgens,	10

The following House lots of those who have no Farm lands,

Andries van der Sluys, lot,	f.10
Jan Aerts, smith, voluntarily offers,	20
Michiel Fouree,	12
Jan Broerse,	10
Jan the Brabander,	10
Andries Baereuts,	12
Hendrick Cornelisse, assessed,	20
Hendrick Jochemse, offers,	20
Harmen Hendricx,	12
Jan Jansen, carpenter, assessed,	10
Jacob Barents, offers,	12
Jacob Joosten, offers,	12
Pieter van aelen, assessed,	10
Matthys Roelofse, offers,	15
Jacob Burhamse, offers,	20
Gerrit van Campen,	10

Anthony Creupel,	fl.10
Albert Gerrits,	10
Baerent Gerrits,	25
Jacob Blancon,	10
Jan de Backer offers 1 thousand Bricks.	
Willem Jansen,	12

It is stipulated, in regard to the Lands, that if hereafter by the survey, there be found a greater or fewer number of acres, the owners shall pay the surplus on the returned contents, and receive back what it falls short, according to the showing of their returns of survey and Patents. The tax on the Lots shall be discharged and paid immediately in light money.

Thus done in the Village of *Wiltwyck*, present the Inhabitants aforesaid, this 12 November, 1661.

ORDINANCE

Of the Director General of New Netherland for the observance of the Sabbath, prevention of Fires, construction of Fences and Houses, and for the keeping in repair the Palisades at *Wiltwyck*, in the Esopus. *Passed 18 November, 1661.*

[N. Y. Col. MSS. IX. 887.]

1.

No person shall be permitted to perform on the Sabbath, by us called Sunday, any work at his ordinary business, whether Plowing, Sowing, Mowing, Threshing, Winnowing, Transporting Wood, Hay, Straw or Grain, Grinding or conveying any goods to or from the Strand; on the penalty of One pound Flemish for the first time, double as much for the second time, and four times double as much for the third time.

Ordinary
labor at
Wiltwyck on
the Sabbath
prohibited.

Penalty.

2.

Liquor not
to be sold on
the Sabbath.

Penalty for
being found
drunk on
Sunday.

Much less shall anyone on the Sabbath of the Lord give entertainment in Taverns, sell or give away, under any pretext whatsoever, Beer, Wine or any Strong drink, under the above mentioned fine; and if anyone be found drunk on the Sabbath of the Lord, he shall, in addition to the fine of One pound Flemish for the benefit of the Officer, be conveyed to the Watchhouse, and there remain at the discretion of the Commissaries.

3.

Wooden
chimneys,
Fires in
straw
houses or in
the center
on the floors
of thatched
buildings,
prohibited.

In order to prevent Fires and calamity, no person shall be permitted to construct, or to have any plastered or Wooden Chimneys, or to kindle any fire in Houses with walls or gables made of straw, or in the center on the floors of other Houses covered with thatch, unless there be a good, solid plank ceiling in the aforesaid houses.

4.

Firewar-
dens to be
appointed.

Their duties.

The Schout and Commissaries are ordered and commanded to appoint two Fire Wardens, who shall go around once every 14 days or 3 weeks, at furthest every month, with the Officer, and inspect all the houses and chimneys and see if they are properly constructed and cleaned, and they shall fine the negligent One pound Flemish for the first time; double for the second time, and four times double as much for the third time. The fines to be applied as above.

5.

Fences and
Gates of
fields to be
made tight.

Pound to be
erected.

In order to prevent the damages which Horses, Cattle and Hogs evidently commit on Cornfields, the Schout and Commissaries are hereby commanded and authorized to constrain every one to make and keep tight his proper fence and gates, and what appertain thereto; they shall also, with the assistance of the Inhabitants, cause a Pound to be erected

for the purpose of placing and confining therein the Horses, Cattle and Hogs which commit, or have committed, damages on the Cornfields, and duly correcting and fining him through whom the damage has been done.

6.

Whereas experience shows that several persons who have applied for and received Lots within this place, allow them to lie vacant and unfenced, and also sell, barter and exchange them, which is directly contrary to the Ordinances and Edicts of the Director General and Council of *New Netherland*, in that case enacted; Therefore, in the first place all and every who have received any Lots are hereby ordered and commanded to fence in their obtained Lots within the term of four consecutive months, and to build on them within one year, without selling or conveying them to others, in default whereof the Schout and Commissaries are hereby authorized and required to grant and concede such Lots to others who are better disposed and more industrious.

Village lots
to be fenced
within 4
months,
and to be
built on in a
year.

Penalty

7.

Whereas the public Fence or Palisades erected around the Village for its defense, and that of the Inhabitants, at great cost and labor, begins to decay here and there, and openings are here and there made and to be seen which remain through the night unclosed, to the imminent danger of the place and advantage of the enemy, the Schout and Commissaries, and also, especially, the Sergeant, are hereby required, authorized and commanded to have the aforesaid Palisades, where it is necessary, repaired, the small, decayed and rotten palisades removed, and others better and more suitable put in their places, especially to have all openings shut at least at night, and made so tight and close that no danger may be apprehended therefrom; and if anyone be found

Palisades
around the
Village to be
repaired;
openings
therein to
be shut at
night.

Penalty.

that did not close and shut at night what he had opened during the day, he shall be fined for the first time Three guilders, for the second time double as much, and for the third time Two pounds Flemish, to be applied as before. Let every one be warned against loss.

Thus done in the village of *Wiltwyck*, the 18 November, A° 1661.

ORDINANCE

Of the Director General of New Netherland imposing an Excise for one year at the Esopus for the further defraying the expense of building the Minister's house at *Wiltwyck*. *Passed 21 November, 1661.*

[N. Y. Col. MSS. IX. 891.]

PETRUS STUYVESANT, on the behalf of the High and Mighty Lords States General of the *United Netherlands*, and the Hon^{ble} the Directors of the Incorporated West India Company Chamber, at *Amsterdam*,

To all those who shall see these Presents or hear them read, Greeting.

Preamble.

Land tax
insufficient
to pay debt
on Minis-
ter's house.

Excise
imposed at
Esopus on
liquors for
one year.

Whereas the Schout and Commissaries of the Village of *Wiltwyck* have, by the account, represented to us that the Tax imposed on the number of Morgens and House lots does not, and cannot, amount to near the half of the expenses incurred and still to be incurred on the newly erected Parsonage, therefore, as a further addition thereto, we have consented, as we do hereby consent, that the said Schout and Commissaries shall, for the term of one year and no longer, commencing from the date hereof, be empowered to levy and collect as an Excise on Beer and Wine, in the Village aforesaid, and the district thereof, to be consumed, as follows:

From every tun of Strong Beer, . . . four guilders.

*Rate of
Excise.*

From a hogshead of French Wine, sixteen guilders.

From an anker of Spanish Wine,

Brandy or distilled liquors, six guilders.

All larger and smaller casks in proportion.

Therefore, all Inhabitants of the aforesaid Village, of what quality soever they may be, are hereby ordered, after the publication hereof, to make a return of and enter the Beer, Wine, Brandy and distilled Liquors lying in their dwellings, cellars, or brew-houses, and promptly to pay therefor the Excise imposed thereupon; Further, hereby warning and commanding them not to lay in, remove or transfer henceforth, any Beer, Wine or Liquor, before and until the same, in the correct quantity, be entered with the Collector, *Jacob Burhamse*, and the Excise imposed thereon be promptly paid, in heavy money, according to the rating of the Counting house—12 White and 6 Black Wampum beads for one stiver—and in proof thereof receive a Permit, whereupon are marked the quantity and precise measure, on the forfeiture of the non-entered Wine, Beer or distilled Liquors, and five times the true value thereof, to be applied one-third to the Informer, one-third to the Officer, and one-third to the Church. Let everyone be warned against loss.

*Inhabitants
to report
liquors in
their pos-
session and
pay excise
thereon.*

*To the col-
lector, and*

*Receive a
permit.*

Penalty.

Done in the Village of *Wiltwyck* this 21 Novem-
ber, 1661.

ORDINANCE

Of the Director General of New Netherland for the construction of a new Road at the Esopus. *Passed 22 November, 1661.*

[N. Y. Col. MSS. IX. 892.]

Preamble.

WHEREAS it is customary, both in Fatherland and here, that Highways be made regular and so maintained, even though passing over another man's land, to the end that one neighbor as well as the other may have easy passage from and to his tillage land; And as, in the Village of *Wiltwyck*, some differences have already arisen, and more are to be apprehended, on this subject, unless timely provision be made therein; Therefore, after divers debates respecting the survey and construction of a proper Road from here to the new and still undivided lands, it is judged best and most proper that the Road to said Lands shall pass over the Land of *Evert Pels*, along the side of the Kill and over across the land where it is narrowest, over *Jacob Jansen Stol's* land, unto the New Bridge to be erected at *Hulter's*, and thence in a straight line through the Great Lot away unto the *Dwars Kill*. In order that the Corn-fields may not suffer any damage from Cattle, whether Horses, Colts, Cows or Hogs running at large, said Highway or Wagon road shall be used or traveled only with Wagons or Horses under bridle and in traces, without any one being permitted to drive loose Cattle along the aforesaid Road, or take along Foals beside the Mares, on pain of forfeiting One pound Flemish for every Beast, Horse, Hog or Foal that is driven or taken loose along said Road, besides repairing the damage which any one may suffer by such Cattle, Horse or Foal running at large. In order the better to prevent such damage, a proper and swinging Gate shall be erected at the commencement of the Road, at the cost of all the interested parties,

Line of the proposed new Road at the Esopus.

Horses under bridle or Wagons only to use the Road.

No loose Cattle to be driven thereon.

Penalty.

Gate to be erected at the commencement

and always kept closed by a person to be appointed thereto expressly, by the Schout and Commissaries; which person shall, for the opening and shutting of the gate, receive from each Bonwery according as he may agree with the Proprietors or Occupants, at the discretion of the Commissaries, and from others who pass only now and then through the Gate, and therefore do not agree with him, One stiver for each opening, two stivers for each freight or pleasure wagon, and one stiver for each person who sits therein.

of the Road
and kept
shut by a
Gate-
keeper.

Occupants
of farms to
agree with
gate-keeper
as to re-
muneration
for opening
and shutting
the gate.

Toll payable
by trans-
ient
travelers.

Thus done and enacted in the Village of *Wiltwyck*, in presence of the Hon^{ble} Director General, *Petrus Stuyvesant*, and of the Schout and Commissaries, the 22 November, A° 1661.

ORDINANCE

Of the Director General of New Netherland for the more speedy collection of the arrears due on the House and Salary of the Minister at Wiltwyck, in the Esopus. *Passed 24 November, 1661.*

[N. Y. Col. MSS. IX. 893.]

WHEREAS it is shown to us by the accounts, &c., that the majority of the Inhabitants of the Village of *Wiltwyck*, are owing a considerable number of Skepels of wheat on the newly built Parsonage and the Salary of the Minister, which arrears, the time of payment being expired, must be satisfied and paid, according to the conditions, out of the present harvest and thrashing; add to which, the grain necessarily required for the garrison for the term of 9 months, and the short crop, of which the Farmers complain, being likewise considered; therefore, the Schout and Commissaries of the aforesaid Village, together with the Commandant of the garrison, are hereby commanded and required not to send away, or allow to be sent away, after the freezing up of

Preamble.

No grain to
be removed
from the
Esopus,
after the

closing of
the river,
until arrears
on Minis-
ters' house
and salary
be paid, and
the garrison
supplied.

Corporal at
the Redoubt
to see that
Liquors
sent up be
accompanied
by permit.

the River, any grain without our further Order, before and until every one shall have brought in and paid his quota, both on the one and the other, and the garrison shall have been provided and accommodated with the necessary supply. In like manner, the corporal of the *Redoubt*, is required and commanded to pay attention there, and likewise to take care that every time Wine, Brandy and Liquor, are conveyed up from the river side, a pass or Permit be sent with them, showing the quantity and quality, and to whom consigned, in order that they be duly entered with *Jacob Burhams*, the Collector, and the Excise imposed thereon, paid.

Thus done and Ordained in the Village of *Wiltwyck*, the 24 November, A° 1661.

ORDINANCE

Of the Director General and Council of New Netherland erecting a Court of Justice at New Utrecht. *Passed 22 December, 1661.*

[N. Y. Col. MSS. IX. 930.]

Preamble.

WHEREAS the Director General and Council of *New Netherland*, are informed and advised of the disorders and non-administration of Justice, in the Village of *New Utrecht*, and that no regard is paid to the falling down of the Fences, and allowing them to remain open after having been set up around the Corn-fields, whereby some good Inhabitants there have suffered, and are still exposed to serious damage in the Corn-fields, if no means be taken in time to provide against it; Therefore, the Director General and Council of *New Netherland*, in order to hinder and prevent as much as possible in future such disorder and irregularities, and for the better administration of Justice there, have considered it necessary to appoint in said Village, one provisional Schout and

Court
erected in
New Utrecht.

three Commissaries, before whom, in the first instance, shall be brought and instituted all Questions, Actions, and Differences arising in said Village, between Master and Servantman, Mistress and Maid-servant, Neighbor and Neighbor, Buyer and Seller, Lessor and Lessee, &c. Item, all Criminal actions, consisting of Threatening, Fighting or Wounding, whether prosecuted by individuals or by the Schout.

Jurisdiction
of the Court

In Criminal
cases.

And said Schout and Commissaries shall administer justice to the best of their abilities, between the parties appearing before them, and may decree a deposit of money, dismissal of the suit, or definitive condemnation, as they, according to the circumstances of the cases, will consider proper, but from all judgments exceeding Fifty guilders, pronounced by said Commissaries, aggrieved parties shall, according to the custom, be allowed to appeal to the Director General and Council of *New Netherland*.

In civil
cases to
decide
finally suits
as high as
Fifty
guilders.

Judgments
in cases
exceeding
Fifty guild-
ers appeal-
able.

The Schout shall, until further order, preside in Court, collect the votes, and also act as Clerk, but if he have to act for himself as party, or in behalf of the right of the Lords Patroons, or in behalf of justice, in such case he shall rise up and have no advisory, much less a conclusive, vote, but one of the Senior Commissaries shall then preside in his place.

Schout to
preside and
act as clerk,
unless he be
a party to a
suit, or act
for the
Public.

In that case
the Senior
Magistrate
to preside.

And said Schout and Commissaries are hereby specially commissioned and authorized to enact proper Order, that the Corn-fields and Gardens be well fenced and kept inclosed, and the broken fences properly repaired.

Court to
enact laws
for the erec-
tion of
fences.

And for the ensuing year, commencing the first of January next, are by the Director General and Council aforesaid elected and confirmed, as Schout, *Adriaen Hegeman*; as Commissaries, *Jan Tomassen*, *Rutger Joosten*, *Jacob Hellakers*.

Names of
Schout and
Magistrates.

They hereby command all Inhabitants of the aforesaid Village, who are already there or will here-

Inhabitants
to respect
and obey
Magistrates.

after come there, to respect and acknowledge said persons for such as they are hereby qualified, and all that, until it shall be otherwise ordered by the Director General and Council.

Papers and
Records to
be trans-
ferred to
Schout
Hegeman.

Further, the Director General and Council hereby order and command *Jacob van Curler*, on sight hereof, to hand over to the said *Adriaen Hegeman* all Papers, Records or other Documents, concerning said Village, that remain in his hands, in order that he may make use of them as circumstances may require.

Dated as above.

ORDINANCE

Of the Court of Bergen for the construction of a Public Well in that Village. *Passed 28 January, 1662. Ratified 9 February, 1662.*

[N. Y. Col. MSS. X. 50.]

Preamble.

WHEREAS the Schout and Schepens have reflected and duly considered that some persons drive their Cattle to water outside the Land gate and Fence now provided and erected, they have deemed it advisable and highly necessary that a Public Well be constructed, for the public accommodation, on the Square, to water the Cattle.

Public Well
to be erected
in Bergen.

Inhabitants,
on being
notified,
to appear
and assist
in its con-
struction.

They hereby Ordain, on the ratification of the Hon^{ble} Director General and Council of *New Netherland*, that every one of the Inhabitants of *Bergen*, after having been notified by *Jan Tibout*, the messenger, shall be and appear on the day prefixed, personally or by substitute, on pain of arbitrary correction by the Officer.

Done at the Court of the Village of *Bergen*, and signed by the Schout and Schepens, the 28 January, 1662. (Signed,) *Tielman van Vleeck*, president; *Herman Smeeman*, *Caspar Steynmits*, *Michael Jans*.

The Director General and Council of *New Netherland* approve and ratify the above resolution of the Schout and Commissaries of *Bergen*; they, therefore, Order all and every whom it may concern, on notification of the messenger, to appear, or to send a proper person in their stead, at the appointed time and place, on the penalty of 5 guilders for each day, to be forfeited by such as absents himself, to be applied for the benefit of the Village in general.

Ratification.

Penalty.

Dated 9 February, 1662.

ORDINANCE

Of the Director General and Council of New Netherland renewing the Ordinance of the 21st of July, 1660, regulating the Indian trade at Fort Orange. *Passed 5 August, 1662.*

[N. Y. Col. MSS. X. 186.]

To the end that the above mentioned Ordinance may be the better observed, and the violators thereof discovered, corrected and punished, the Director General and Council of *New Netherland* not only hereby renew the aforesaid, but notify and warn every person that posts have been set up on the Hill within sight of the *Fortress Orange* and the Village of *Beverwyck*, and will be placed elsewhere wherever it may be necessary. If anyone be found either on foot or on horseback outside those limits, to allure any Indians or to entice them by presents either personally or through Runners, he shall be fined Twenty pounds Flemish; in case the Peltries are found on his back or horse, a double fine in addition to the forfeiture of the Horse, Cart or Wagon upon which any Peltries are found.

Ordinance of 21 July, 1660, renewed.

Posts set up on the Hill near Fort Orange.

Penalty for enticing Indians outside those limits.

In order to prevent in future all cavils and negative exceptions, the Director General and Council hereby Ordain and enact, that in conformity with

Evidence of Indians admissible in cases under this Law.

In case of
want of
evidence,
Defendants
to clear
themselves
on oath.

divine and human Laws, the Violators hereof shall be corrected and punished on the evidence of two @ three witnesses, even if these be Natives. In default of the Oath of these, to close the dispute the accused shall, agreeably to the foregoing, be obliged to clear himself on Oath, or, in case of refusal, be condemned, according to the tenor hereof on presumptive evidence and one witness. Further commanding our Vice-Director and Officers hereby promptly and effectually to execute these without any dissimulation or alteration.

Thus done, renewed and published at *Fort Orange* this 5 August, A° 1662.

ORDINANCE

Of the Director General of New Netherland, further regulating the Indian Trade at Fort Orange. *Passed 5 August, 1662.*

[N. Y. Col. MSS. X. 195.]

Preamble.

WHEREAS experience hath sufficiently demonstrated, that the insolence and disorders perpetrated by the Runners and enticers of the Indians, are not, in regard of the latter, as they ought to be, sufficiently prevented by the last Regulation and the erection of a Post, but that the Runners aforesaid, both near and in sight of this place, lay hands on the Natives, thereby to frighten and obstruct them; and that many graceless and idle Loafers, to the scandal and disgrace of the Christian name and Dutch nation, remain loitering near and about the erected Post, entire days from morning until night, even on the Lord's Sabbath and day of rest, in wait for the Indians without any other calling, passing the time in an unprofitable, yea an ungodly, manner, Drinking, Card playing, and other such like disorders; to provide herein as much as possible, a remedy for the

ruined Trade, for the advantage of this place and its Inhabitants, the Director General of *New Netherland* hereby Ordains and commands, by virtue of the previously published Edicts, that no Christians or Indians shall attempt, directly or indirectly, to force, call, or by any presents to entice, any Indians coming with Peltries from the country, but every one shall, agreeably to the published Edict, dated 21 July, 1660,* and now again renewed, allow the Natives to go and repair, free and unmolested, without any impediment, wherever they please, both within and without the settlement; hereby commanding our Vice-director, Clerk, Court messenger, and all other the Company's Servants, these, according to the tenor of the above mentioned Edict, strictly to observe, execute and cause to be observed and executed as they ought to be, without suffering any the slightest alteration in, or contrary to, the same; to fine or cause to be fined the Violators thereof, or, in case of any opposition, to send such without delay to our Fiscal to be prosecuted according to the exigency of the case.

Indians not
to be forced
or enticed
to trade, but

To be left
free to go
where they
please.

Court at
Fort Orange
to enforce
this Law,
and

To fine
Violators
thereof.

Thus done and published in *Fort Orange*, this 12 August, 1662.

* *Supra*, p. 422. 385.

ORDINANCE

Of the Director General and Council of New Netherland against
Conventicles. *Passed 21 September, 1662.*

[N. Y. Col. MSS. X. 221.]

Preamble.

BECAUSE the Gouvernour Generall and Councell of *New Netherland* find by experience that their heretofore issued publications and Edicts, against Conventicles and prohibited assemblies are not observed and obeyed as they ought, therefore by these Presents, they are not only renewed, but also enlarged in manner following:

Conventicles or meetings, other than of the Reformed worship, prohibited.

First the Gouvernour Generall and Councell forementioned Like as they have done heretofore, so they prohibit and interdict as yet, that beside the Reformed worship and service, no Conventicles or meetings shal be kept in this province whether it be in houses, barnes, ships, barks, nor in the Woods nor fields upon forfeiture of fifty guildens for the first time for every person wether man or woman or child, that shall have bene present in such prohibited meetings, and twice as much for every person, whether it be man or woman or child that has exhorted or taught in such prohibited assemblies, or shall have lent his house barne or any place to that purpose; for y^e second time twice as much; for the third time foure times as much, and arbitrary punishment besides.

Any man, woman or child assisting thereto, to be fined each 50 guilders.

Exhorters at, or persons lending their premises for such meetings to pay double fine.

Importation and distribution or concealment of certain Books and writings, prohibited.

Secondlie, because Gouvernour General and Councel are informed, that now and then, thorough diuerse persons seditious & erroneous boecks writings & letters are brought in & dispersed among the Common people, The Gouvernour Generall and Councell prohibit by these presents not only the importation of such printed or unprinted boecks, writings or letters, but also the communicating or dispersing, receaving, hiding of the same, upon forfeiture of an

hundred guildens, to be paid by the importers and distributors of such boecks, letters or writings and fifty guildens for every one that shal receaue them from those that distribute them, with confiscation of the imported boecks when they are found out.

Penalty for receiving or distributing such Books and writings.

Thirdly, because the Gouvernour General & Council are informed that in the particular Villages & hamlets of this province many & diverse persons doe sojourne & more and more doe dayly come in the forementioned Villages & tarry there, without that such persons (as they ought) doe make themselves knowne & shew from whence they came & to what end or that they (as other inhabitants) doe performe the oath of fidelity, the Gouvernour General and Council doe ordaine & command by these presents dat al and every particular person, that in the same manner beforementioned, without Leau & foreknowledge of the Gouvernour Generall and Councell are come within this province & haue not performed the Oath of fidelity shal within the tyme of six weekes come to y^e office of the Secretary of the Gouvernour Generall & Councell that their names may be registered and may performe the oath of fidelity like as other inhabitants & to subscribe it, upon forfeiture of fifty guildens & arbitrary punishment besides.

Persons coming into the province without leave, to take oath of allegiance within six weeks and have their names registered.

Penalty.

And to prevent in the future such disorder & prohibited assemblies the Gouvernour Generall & Councell forementioned doe ordaine & command all Magistrates, Schouts, Marishals Officers & Commanders within this province to obey & execute & to command to be obeyed and executed, every one in his owne precinct & power as wel against the Conventicles & prohibited assemblies as against all fugitives & Vagabonds which without foreknowledge and leane of the Gouvernour Generall & Councell & not hauing performed the Oath of fidelity, in any place shall hide themselves. And if any shall be

Magistrates to enforce the law against Conventicles and Vagabonds.

Penalty on
parties con-
cealing such
persons.

Officers
conniving
at the Viola-
tion of this
law to pay
double fine
and de-
clared
ineligible to
any office.

found to lodge, entertaine, hide or conceale sus-
sons, he shall forfeit for the first time fifty gr
for the second time twice as much & for the
time four times as much & besides that
punished arbitrarily. And if any Magistrate, S
Marishal or officer shall be found to winke
case, he shall forfeit the double value & de
incapable to serue any more in any publike s

Thus concluded in y^e fort of *New Amste*
New Netherland the 21 Sept^r A^o 1662

NOTE.—The above is copied from the Original Record in :
TR.

ORDINANCE

Of the Director General and Council of New Netherland
burning Straw and other refuse Combustibles in the Vi
Wiltwyck. *Passed 16 October, 1662.*

[N. Y. Col. MSS. X. 237.]

Preamble.

Straw not
to be set on
fire within
the village
of *Wilt-*
wyck, but

To be
burned out-
side the
Village.

WHEREAS the Director General and Coun
New Netherland are informed that some In
ants of the Village of *Wiltwyck* make aln
custom of setting on fire their superfluous
in and within the Settlement, whereby not on
Houses in the immediate vicinity but the
Village is in imminent danger of being burne
asmuch as the most of the Houses, Barns
Barricks are covered with roofs of reed, it is
fore necessary to provide therein in time, the
tor General and Council of *New Netherlan*
accordingly, hereby Order and Command all In
itants of the said Village, and all others wh
may any wise concern, from this time forth
set fire to any Straw, Reed or other Weeds
within said Village, but when they desire to
any Straw, Reed, &c., such shall be previousl

ried a musket-shot outside said Village, by the posts which to that end shall be erected by the Schout and Commissaries of said Village, on pain of forfeiting, by those who, after the posting hereof, shall act contrary thereto, for the first time Fifty guilders, for the second time One hundred guilders, and for the third time to be arbitrarily punished as an example to others. [The fines] to be applied, one-third for the Officer, one-third for the benefit of the Village, and the remaining third for the Poor.

Penalty.

Fines, how
to be ap-
plied.

Done, *Fort Amsterdam in New Netherland*, date as above.

ORDINANCE

Of the Director General and Council of New Netherland against selling Grain at the Esopus by Unstamped measures. *Passed 27 November, 1662.*

[N. Y. Col. MSS. X. Part I. 275.]

WHEREAS divers complaints have been repeatedly made to us, in regard to the Measures with which Grain is by many measured and delivered here, so that when the received grain is again afterward measured with a stamped Measure, some fall thereby short 6, 8 @ 10 skepels in the hundred, which mistake, if no fraud were to be presumed, arises from the fact that some Inhabitants here, in delivering their Grain, do not use a stamped Measure, as heretofore Ordained by the Director General and Council of *New Netherland*, but tubs or Skepels made by themselves, without having them stamped as they ought to be, which it is necessary to provide for; Therefore, all Inhabitants are hereby commanded and Ordered not to measure, after the posting hereof, any Wheat, Rye, or other Grain, except with a stamped Skepel, under a fine of 25 guilders, to be

Preamble.

No Grain
to be measured except
with a
stamped
skepel.

Penalty.

applied, one-third for the Officer, one-third for the Informer, and the remaining third for the benefit of the Public; and, in addition, to make good the Grain that will be found deficient. And the Schout and Commissaries are charged to cause these to be strictly observed and promptly executed as they ought.

Done *Wiltwyck*, in the *Esopus*, 27 November, A° 1662.

ORDINANCE

Of the Director General of New Netherland against receiving in pawn clothing, arms, &c., belonging to Soldiers stationed at *Wiltwyck*.
Passed 27 November, 1662.

[N. Y. Col. MSS. X. 773.]

Arms,
clothes or
other ar-
ticles be-
longing to
soldiers at
Wiltwyck,
not to be
taken in
pawn.

Penalty.

All persons are hereby notified not to attempt hereafter to advance any Money, Provisions, much less Strong liquor, on the Arms, Clothes or any other goods of the garrison stationed here, or to take them in pawn, on pain of forfeiting Twenty-five guilders for the benefit of the garrison, and, in addition, restoring the pledged article without the redemption money.

Done in the fort, that is *Wiltwyck*, in the *Esopus*, the 27 November, 1662.

ORDINANCE

Of the Director General and Council of New Netherland against making openings in the Palisades at Wiltwyck. *Passed 27 November, 1662.*

[N. Y. Col. MSS. X. 276.]

WHEREAS it is found that many, contrary to the express prohibition of the Director General and Council of *New Netherland*, have made openings and passage ways in the Palisades erected for the defense of this place, Therefore, all whom it may concern are hereby commanded and ordered to close the made openings and passages, within twice 24 hours, with Palisades or proper doors with locks, provided they bring the key every night to the Guard-house, on pain of One pound Flemish.

Preamble.

Openings in the palisades at Wiltwyck to be closed.

Penalty.

Done, *Wiltwyck*, in the *Esopus*, the 27 November, 1662.

ORDINANCE

Of the Director General and Council of New Netherland further regulating the Currency. *Passed 28 December, 1662.*

[N. Y. Col. MSS. X. 299.]

TAKING into consideration, on the one hand, the depreciation and present low price of Wampum, to the degree that 20, yea, even, by some, 24, guilders, are now ordinarily paid for one Beaver, and, on the other hand, the Order and Instructions of Mess^{rs} the Directors, communicated in divers of their dispatches, and especially in their Honors' letter of the 22 December, 1659, to reduce the payment which is made here to the Company's servants in Wampum or Beaver, to the value of *Holland* money, the Director General and Council of *New Netherland* find themselves obliged, in order that the Company's servants

Preamble.

Wampum
to be paid to
Public offi-
cers at the
rate of 24
White or 12
Black beads
for one
stiver.

Beaver
rated at 7
guilders
each.

may receive in some degree an equivalent of *Holland* money, again to reduce the Wampum, at the Company's counting house, from 16 to 24 White, or 12 Black [beads] for one stiver, and to disburse it at that rate on the first of January next, to the Company's Servants in payment of Monthly wages and Board money, and as regards Beaver, to continue to pay it out, provisionally, until further Order, at 7 guilders, in payment of Monthly wages and board money.

Done, *Fort Amsterdam* in *New Netherland*, the 28 December, 1662. *P. Stuyvesant, Nicasius de Sille, J. de Decker.*

NOTE.—“The Order which your Honors made in regard to the payment of the Soldiers and other public servants in Wampum hath well pleased us, as it tends to afford equal satisfaction to all. But as it still is not equivalent to *Holland* money, we have resolved hereby to order and authorize your Honors to reduce it to the aforesaid value, as we also, for said reasons, have provisionally reduced the Beaver from 8 to 7 guilders. * * * * *

“From this particular reduction of the Wampum, a second general reduction must necessarily follow, if the depreciation thereof is to be prevented. This arises in consequence of the great importation of Wampum from *New England*, which barter therewith, and carries out of the Country not only the best cargoes sent hence, but also a large quantity of Beaver and other Peltries, whereby the Company is defrauded of its revenues, and the Merchants here of good returns, while the Factors and Inhabitants there remain with chests full of Wampum, which is a currency utterly valueless, except among *New Netherland* Indians only.” *Directors to Stuyvesant and Council, N. Y. Col. MSS. XIII. 57, 22 Dec., 1659.*

Orders were sent in September, 1663, to pay the Beaver to the Company's Servants for their wages, at 6 guilders each. *TR.*

ORDINANCE

Of the Director General and Council of New Netherland against advancing Money out of the public Treasury to persons in the public service. *Passed 2 February, 1663.*

[N. Y. Col. MSS. X. Part II. 19.]

WHEREAS it is found, on balancing the books of Monthly wages, that some of the Hon^{ble} Company's servants have, by their troublesome and importunate applications, received more than they were entitled to, in direct violation of the Order issued on the subject of payments; to prevent this the Director General and Council of *New Netherland* do hereby expressly command the Receiver and Commissary not to pay or advance anything on account to the Company's servants, unless they have three months wages to their credit with the Company, on pain of forfeiting, each time they do to the contrary, without our previous knowledge, one month's wages, and, in addition, be debited on their account with all that might have advanced to anyone contrary to this Order. Hereby further warning all the Hon^{ble} Company's servants who have not more than three months' wages to their credit, not to importune or trouble the Receiver or Commissary for money or goods, on pain of instant dismissal, should they still continue to importune after this our Order will be made known to them.

Preamble. ,

Payments on account not to be made to Public officers, unless there be 3 months wages due them.

Advances otherwise made to be charged to the disbursing officer.

Done, *Fort Amsterdam* in *New Netherland*, the 2 February, A^o 1663.

FURTHER CONCESSIONS

By the West India Company to the Colonie of the City of Amsterdam on the South River of New Netherland. *Granted 12 February, 1663.*

Boundaries
of the Colo-
nie in *New*
Netherland,
granted by
the West
India Com-
pany to the
City of
Amsterdam.

High and
Low juris-
diction con-
ceded.

Conditions
of the
Grant.

THE West India Company hath conferred on the City the entire South river, and the proprietorship of the land beginning at the Sea, upward as far as the River extends, and on the North side three leagues from the bank of the river landward in, and on the South side as far the land there extends to the English Colonies, with High and Low jurisdiction, on condition that the City shall send thither a good number of Soldiers for the protection of the place; also, cause a league of land to be cleared there every succeeding year, and send thither Four hundred Colonists.

Friday, 16 February, 1663.

Quitrent on
Beaver to be
paid to the
Colonie.

The Company gives up and renounces the Quitrent of 4 stivers on the Beaver, which is paid on the South River, and allows the same henceforth to accrue to the profit of the City's Colonie.

Goods sent
to or from
the Colonie
to be in-
spected by
an officer of
the City of
***Amsterdam*.**

In place of all Goods transmitted from here to the City's Colonie in *New Netherland*, and thence hither, being subject, as at present, according to the concluded Agreement, to the inspection of a deputy of the Company, one Commissary shall be appointed hereafter on the part of the City, who shall inspect in place of the Company's Officer, and take an oath of fidelity to the Company.

ORDINANCE

Of the Director General of New Netherland for the perfecting of Titles to Lands at Wiltwyck, and for the more speedy settlement of the same. *Passed 30 March, 1663.*

[N. Y. Col. MSS. X. Part II. 53.]

All and every Person who claim any Lands either in and about the Village of *Wiltwyck*, or in the newly begun Village, on both the Great Lots, are warned and commanded to apply for and receive proper Patents and Deeds of said Lands, within the space of two months from the date hereof, and also to begin to improve, plow, cultivate and provide with good Fences, within the time aforesaid, the Lands so applied for and obtained, to the end that others who already begin or have begun may not suffer any damage; all, on pain of forfeiting the Lands granted, and repairing the damage others may now and hereafter suffer.

Claimants of Lands at the *Esopus* to take out Patents, and

To cultivate and fence their lands within two months,

On pain of forfeiture and payment of damages.

Further, all Persons who have applied for and received any Lots in the newly begun Village are hereby, for the second and last time, *ex superabundanti*, notified to place, within at least two months from this time, a proper workman in the Village, in order to improve the Lots, especially to fence them so as to promote the general inclosure around the Village, within the space of 6 months, on pain of forfeiting the obtained Lots, and, in addition, 25 guilders fine. In order that all this may be the better promoted, *Albert Heymans Roose, Jan Joosten* and *Jan Gerrets*, are thereunto qualified and appointed Overseers, who are likewise authorized and commanded not only to forward the aforesaid necessary work according to the Order given them, but also to correct those who are negligent, and to exact the fine by prompt execution.

Grantees of Lots in the New Village at the *Esopus*, to place a farmer thereon to improve and fence the same, within 6 months, on pain of forfeiture and fine.

Overseers appointed.

Thus done in the Village of *Wiltwyck*, this 30 March, A° 1663.

ORDINANCE

Of the Director General and Council of New Netherland against
False entries at the Custom House. *Passed 5 April, 1663.*

[N. Y. Col. MSS. IX. 603]

This is a renewal of the Ordinance of 23 June, 1661, *supra*, p.
401. Tr.

ORDINANCE

Of the Director General and Council of New Netherland for the
more speedy and effectual settlement of conceded Lands. *Passed*
26 April, 1663.

[N. Y. Col. MSS. X. Part II. 79.]

Preamble.

WHEREAS experience hath demonstrated and still shows that, since the publication and repeated renewal of the enacted Ordinances and Edicts against the neglect of cultivating, fencing and improving of granted and obtained Lands, many Tracts on this Island, *Long Island* and elsewhere, are not only lying wild, waste, unoccupied and unfenced, but are also abandoned and stripped of their Fences by the Proprietors, who, nevertheless, whenever the lands are sought for by others, in order to cultivate them, again reclaim them, and will retain possession of them, to the serious damage of the Public, the obstruction of Agriculture, and consequently to the loss of the Honorable Company's long expected Tenths and other Revenues; the Director General and Council of *New Netherland*, again resuming and renewing the above mentioned Edicts, do hereby Ordain and command all and every one within this Province, who, by virtue of any Patents and concessions, claim any Lands whereof the Tenths are due, and have been due for several years, and which lie at present wild, waste, unfenced and uncultivated, to

Grantees of
Lands
owing
Tenths,
and which
are still
unim-
proved,

fence in and improve, within the term of six months, the lands they lay claim to, conformably to the above mentioned Edicts and renewed Ordinance and Regulations enacted on the subject of settlements, on pain of forfeiting the obtained Lands and the property thereof, the said Lands which then reman unfenced and unimproved reverting to the absolute disposal of the Director General and Council aforesaid, to be by them disposed of for the public benefit. Let everyone be hereby warned against loss and against future complaint.

To cultivate
and fence
them
within 6
months,
on pain of
forfeiture.

Done, *Fort Amsterdam* in *New Netherland*, the 26 April, A° 1663.

ORDINANCE

Of the Director General and Council of New Netherland prohibiting the bringing of Quakers and other Strollers into New Netherland.
Passed 17 May, 1663.

[N. Y. Col. MSS. X. Part II, 105.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

WHEREAS we daily find that many Vagabonds, Quakers and other Fugitives are, without the previous knowledge and consent of the Director General and Council, conveyed, brought and landed in this Government, and sojourn and remain in the respective Villages of this Province without those bringing them giving notice thereof, or such persons addressing themselves to the government and showing whence they come, as they ought to do, or that they have taken the oath of fidelity the same as other Inhabitants; the Director General and Council, therefore, do hereby Order and command all

Preamble.

Vagabonds,
Quakers
and other
Fugitives
not to be
brought
into the
Province
without
permission
of govern-
ment.

Penalty.

Fines, how
to be ap-
plied.

Skippers, Sloop captains and others, whomsoever they may be, not to convey or bring, much less to land within this government, any such Vagabonds, Quakers and other Fugitives, whether Men or Women, unless they have first addressed themselves to the government, have given information thereof and asked and obtained consent, on pain of the Importers forfeiting a fine of Twenty pounds Flemish for every person, whether Man or Woman, whom they will have brought in and landed without the consent or previous knowledge of the Director General and Council, and, in addition, be obliged immediately to depart again out of this government with such persons. The fine to be applied one-third for the Fiscal, one-third for the Informer, and the remaining third at the discretion of the Court.

Thus done at the Meeting of the Director General and Council holden in *Fort Amsterdam* in *New Netherland*, the 17 May, A° 1663.

ORDINANCE

Of the Director General and Council of New Netherland authorizing the Farmer of the Customs to visit and examine Vessels. *Passed 24 May, 1663.*

[N. Y. Col. MSS. X. Part II. 114.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

WHEREAS divers complaints have been made to us by the Farmer of the Duties on Exported and Imported Goods, of the great frauds and smuggling which are daily practiced and put in execution to the damage of his right, requesting that provision may be made therein; Therefore we have authorized, as we do hereby authorize, the said Farmer, being for the current year *Warnaer Wessels*, to visit and cause to be visited, whenever he considers it necessary and proper, all departing Vessels subject to the payment of Duties, if they have stayed here over night. We therefore order and command all Skip-pers, Boatmen and Merchants, so long as they remain within this government, in the roadstead, streams and rivers of *New Netherland*, to suffer and permit the visit of said Farmer, or his deputy, without offering him or his any the least hindrance or obstruction, on pain of being proceeded against as the case demands.

Thus done in *Fort Amsterdam* in *New Netherland*, the 24 May, A° 1663.

Preamble.

Farmer of the Customs empowered to visit departing Vessels.

Captains of Vessels not to obstruct inspectors in the performance of such duty.

ORDINANCE

Of the Director General and Council of New Netherland against carrying on any Indian trade at Schanectade. *Passed 18 June, 1663.*

[N. Y. Col. MSS. X. Part II. 123.]

Preamble.

THE Director General and Council of *New Netherland*, having taken into serious consideration the repeated complaints of the Inhabitants of the Village of *Beverwyck*, presented at various times both verbally and in writing to the Director General and Council, as well individually, as collectively, respecting the damages and losses which are apparently to be apprehended, both for the settlement of the Village of *Beverwyck*, and the Colonie of *Renselaerswyck*, yea, even, for the Inhabitants of *Schanectade*, if they, particularly in this dangerous conjuncture, continue to remain there, and so as they have already begun, carry six @ seven miles* inland, Goods and Merchandises on Wagons and Horseback thither, to trade with the Indians, whence it is not only to be feared but certainly to be expected that the Goods will be attacked and set upon on the way, whereof some instances have already occurred, viz. : in attacking of Wagons, firing some shots at them, yea, attempting to stop Women on their way thither, and other additional Insolences, already committed by the Barbarians, both in the Settlement itself, and on the road. Exclusive of this, the previously issued Ordinances and Edicts against Runners in the Woods are infringed, under pretence of conveying goods and merchandises to *Schanectade*.

In order to prevent all these and many other mischiefs, the Director General and Council aforesaid do hereby Ordain and command, that no Indian

* About 21 English miles. Tr.

Goods or any Merchandises shall be conveyed thither, directly or indirectly, under what color or pretext soever that may be, much less bartered, either directly or indirectly, on pain of forfeiting the Indian Goods and Merchandises to be conveyed thither; one-half to be applied to the Informer, the other half for the Officer, either of *Fort Orange* or the Colonie *Renselaerswyck*, by whom the complaint shall be instituted. Hereby commanding their Commissary, and those of the Court of *Fort Orange* and Village of *Beverwyck*, not only to cause these to be strictly observed, but also on sight hereof, to repair to the newly begun settlement at *Schanechtade*, and there take up the Goods and Merchandises already carried thither contrary to the act of Concession of the Director General and Council of 6 April, 1662, and have them removed within the space three times 24 hours, on pain as aforesaid.

Indian Goods not to be transported to *Schanechtade*, on pain of forfeiture.

Indian Goods at *Schanechtade* to be seized and removed.

Thus done in *Fort Amsterdam* in *New Netherland*, the 18 June, A° 1663.

departing Sloops to apprehend, if possible, all Indians who may come on board between the *Dan-
camer* and *Catskill*, and them to deliver as Prisoners here or at the *Esopus*, in order that we may make use of such as guides when occasion requires; and those who receive and deliver up, as prisoners in this manner, any of the *Esopus* Indians or their adherents, shall be paid for each One hundred guilders in Wampum.

Captains of Sloops on the North river to arrest Indians coming on board their Vessels, within certain limits, and convey them to *New Amsterdam*, or the *Esopus*, to be employed as guides. Reward for delivery of such Indians.

Done, *Fort Amsterdam* in *New Netherland*, the 12 July, A° 1663.

ORDINANCE

Of the Director General and Council of New Netherland prohibiting the Inhabitants of Breuckelen removing their crops before the Tenth are paid. *Passed 19 July, 1663.*

[N. Y. Col. MSS. X. Part II. §18.]

All Inhabitants of the Village of *Breuckelen* and dependencies are hereby ordered and commanded not to remove their Crops from the field unless the Tenth are previously counted out by the Schout *Hegeman*, or an agreement therefor be made with him, under a fine of One hundred guilders, and, in addition, the Tenth, at the discretion of impartial men.

Crops not to be removed from the fields at *Breuckelen* or its vicinity, until the Tenth are counted out or commuted. Penalty.

Done, *Fort Amsterdam* in *New Netherland*, date as above.

ORDINANCE

Of the Director General and Council of New Netherland empowering Inferior Courts to make Laws to prevent the sale of Liquor to Indians. *Passed 19 July, 1663.*

[N. Y. Col. MSS. X. Part. II. 222.]

Preamble.

THE Director General and Council of *New Netherland* having taken into consideration the repeated complaints both of the Inhabitants and Farmers in regard to the very dangerous and injurious sale of Brandy and Distilled liquors to the Indians, for some time now more prevalent than ever before; the peril that is to be expected and without doubt to follow, if seasonable provision be not made therein; And it being found, by doleful experience, that the Edicts and Ordinances issued at divers times against such practice are not regarded, observed or executed according to the good meaning and intention of the Director General and Council, as the necessity and circumstances of the Country well required. Therefore the aforesaid Director General and Council have not been able, at this time, to discover any better expedient or means to prevent that shameful and dangerous trade, than to empower and to authorize, specially, as we hereby do, all Subaltern magistrates of this Province, not only more strictly to enforce and cause to be executed the Edicts and Ordinances heretofore promulgated on that point, but, also, for the better execution thereof, to make and enact, each in his respective Village and jurisdiction, such Order against it as he, according to the circumstances of his locality, shall judge best and most proper for the suppression of that scandalous traffic.

Magistrates
of Town
courts to
enforce
Laws
against the
sale of
Liquors to
Indians,
and

To enact
Ordinances
prohibiting
such sale.

Inhabitants
to obey such
Ordinances.

We hereby charge, Order and command all Inhabitants to regulate themselves according to the Ordinances and Edicts to be enacted on this subject by the Inferior Magistrates, each in his respective

jurisdiction ; them to observe and obey the same as if they were issued and Orldained by the Director General and Council, under the penalty in the Edicts prescribed. Penalty.

Thus done in *Fort Amsterdam* in *New Netherland*, the 19 July, A° 1663.

ADDITIONAL CONCESSIONS

To the Colonie of the City of Amsterdam, on the South River of New Netherland. *Granted 30 July, 1663.*

[N. Y. Col. MSS. XIX. 88.]

THE Company grants and consents that one-half the clear proceeds of the convoys and Duty from all the Goods to be sent direct from hence to the aforesaid City's Colonie, in *New Netherland*, shall be received by the aforesaid City for the term of eight consecutive years, so that the receipt and administration of the Duty and convoys aforesaid shall effectually remain as hitherto, without any change being made therein, but the half of the net proceeds shall be paid by the Company to the City aforesaid, to be expended and employed as requested ; all with this understanding, that the abovenamed Commissioners shall also punctually observe and execute all the foregoing agreements and consents, especially what has been resolved on the 18th of February last.

One-half the Duties on Goods sent from *Holland* to the *New Amstel*, on the *South river* to be paid for eight years to that Colonie.

Duties to be the same as heretofore.

Proviso.

Thus done in *Fort Amsterdam*, in *New Netherland*, the 10 September, A° 1663.

NOTE.—The Burgomasters and Schepens of *New Amsterdam* declared on the 10 March, 1664, they would not dare to publish the above Ordinance, as many of its provisions were too severe, and too much in opposition to the Freedoms of *Holland*. *N. Y. Col. Doc. X. pt. iii. 119. Tr.*

Court of *New Amsterdam* object to the severity of the law, as contrary to the Freedoms of *Holland*.

ORDINANCE

Of the Director General and Council of New Netherland, for the better security and Settlement of *Bergen*. *Passed 15 November, 1663.*

[*N. Y. Col. MSS. X. Part II. 389.*]

On the repeated complaints of the majority of the Inhabitants of the Village of *Bergen*, that some continue to neglect to occupy the Lots they obtained in said Village, and to keep thereon a man fit to bear arms; also that some absent themselves without providing for their Watch, whereby the people of said Village are so much fatigued that they cannot any longer stand at their posts, and are unwilling to go any longer on guard unless the others, who have vacant Lots, keep for the guard one man with them for each Lot; the Director General and Council in order to prevent this confusion, resolve that all those who claim any Lots in the aforesaid Village shall, within 24 hours after the service hereof, furnish and continually maintain for each Lot one man able to bear arms, and to keep watch and ward, on pain of having the Lots with the Lands thereunto appertaining, as surveyed by the Surveyor, immediately given and granted in propriety to others. Let every one be hereby warned for the last time. Dated as above.

Preamble.

Grantees of lots in *Bergen* to furnish and keep a man capable of bearing arms each on his lot on pain of forfeiture.

ORDINANCE

Of the Director General and Council of New Netherland to prevent certain abuses on Leased lands. *Passed 29 November, 1663.*

[N. Y. Col. MSS. X. Part II. 403.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

Preamble.

WHEREAS, from time to time many complaints have been made and many questions and differences have arisen in regard to and because many Lessees of Bouweries undertake, contrary to the intent and meaning of the Proprietors, not only to employ and make use of the leased Horses, Oxen, Plows, Wagons and other implements, on the Bouweries and Land for which they were leased, but also in the service of others and on other Lands, whereby not only the Horses, Cattle and implements are overworked and worn out, but even the leased Bouweries and Lands lie frequently uncultivated, to the serious damage of the Lessors and Agriculture in general; in order then to prevent such just complaints in future, the Director General and Council aforesaid hereby Ordain and enact that, from this time forward, no Lessees of Bouweries, Lands or Plantations shall be permitted to use or cause to be used the leased Horses, Oxen, Carts, Wagons, &c., in the service of other persons, whether for plowing, drawing out timber or any other purpose however named, but shall be bound to employ or use the leased Implements, Horses, Oxen, Plows, Wagons, &c., for no other purpose than for the behoof and advantage of the Land and Bouwery for which they are leased, unless such be expressly stipulated by written contract, on pain of forfeiting Four skepels of Wheat for each day, in

Lessees of Lands not to employ in the service of others, any Horses, Oxen or other property belonging to the Farm; but

In the exclusive work of the leased premises.

Penalty.

addition to what may be earned by plowing, drawing of timber, &c., to be applied one-half for the Proprietor and the other half for the Officer.

Thus done in *Fort Amsterdam* in *New Netherland*, the 29 November, 1663.

ORDINANCE

Of the Director General and Council of New Netherland for the arrest of Indians found drunk on Sundays. *Passed 31 December, 1663.*

[N. Y. Col. MSS. X. Part II. 451.]

WHEREAS we find with regret that many Inhabitants presume, notwithstanding it has been repeatedly forbidden, to sell Brandy to the Indians, not only on working days, but also on Sundays; in order to prevent such as much as possible, it is Resolved to have the Indians who are found drunk on Sundays arrested, and not to liberate them before they shall have paid One pound Flemish. But the Sachems shall be previously informed hereof. Dated as above.

Preamble.

Indians found drunk on Sundays to be fined and imprisoned until fine be paid.

Sachems to be informed of this Law.

ORDINANCE

Of the Director General and Council of New Netherland prohibiting the purchase of Goods stolen by Indians. *Passed 31 December, 1663.*

[N. Y. Col. MSS. X. Part II. 402.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

Preamble.

WHEREAS, in the last as in the previous troubles also with the Indians, it is found that some Inhabitants have not hesitated to purchase or barter, from the Indians, furniture and cattle which the Indians plundered from divers Inhabitants and Bouweries, whereby the Barbarians are encouraged and afforded an opportunity to perpetrate more and more such Robberies and Thefts, to the serious damage of the Farmers and of Agriculture; To prevent then such and many other bad consequences which will follow therefrom if seasonable provision be not made in the premises, the Director General and Council aforesaid do hereby Ordain and enact that no Inhabitants of this Province, of what rank or quality they may be, shall attempt to purchase, barter or trade under any pretext whatsoever, any plundered or stolen Movables or Cattle from the Indians, unless information thereof be previously given to the Director General and Council or to the Inferior Magistrates, each in his respective jurisdiction where such goods are offered for sale, and their permission and consent thereto be had and obtained. Whosoever contrary to this Ordinance shall attempt to buy, barter or trade any plundered or stolen Cattle or Movables from Indians shall be bound to deliver up what they have purchased or bartered to the Owners or to the Court under which they resort, without receiving therefor any restitution or compen-

Plunder, stolen goods or cattle, not to be bought from Indians, without permission.

Purchasers of such stolen property to give it up, and

sation, and forfeit, in addition, as a fine, as much as they shall have given the Indians for the purchased or bartered goods, to be applied for the benefit of the Officer who will enter the complaint.

To be fined
in a sum
equal to
what they
had paid
for it.

Done, *Fort Amsterdam* in *New Netherland*, the 31 December, A° 1663.

ORDINANCE

Of the Director General and Council of New Netherland for the appointment of Fence Viewers and the erection of Pounds in the several Towns and Villages of the Province. *Passed 3 January, 1664.*

[N. Y. Col. MSS. X. Part III. 5.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

WHEREAS more and more complaints are daily made and presented by the Farmers of the great damage done to the planted and sowed fields, because such care and attention as ought to be taken of the Fences are not paid thereto in many places, so that, by the trespassing of Cattle in some Villages, entire plantations are eaten up, destroyed and trodden under foot, to the serious damage of the proprietors and the detriment of Agriculture in general; to obviate and prevent which in future, as much as possible, the Director General and Council aforesaid do hereby Ordain, enact and command that in all Villages, Hamlets and Settlements, not only shall three persons be appointed and commissioned to pay strict regard and attention to the Fences, to examine them every 14 days or three weeks, and to fine the delinquents after they have been duly notified, but, also, that in each Village, Hamlet or Settlement, a

Preamble.

Three
Fence
viewers to
be appointed
in each
village
and settle-
ment.

Duties of
Fence
viewers.

E D I C T

Of the States General declaring the Right of the West India Company to plant Colonies in America, and the power of said Company to conclude the Treaty of Hartford in 1650. *Dated 23 January, 1664.*

[Groot Placaet Book, II. 3154.]

THE States General of the *United Netherlands*.

To all who shall hear or see these, Greeting, Be it known.

Whereas, for divers and weighty reasons, We thought it proper, in the year 1621, to erect and establish, in our country, a company called the West India Company, through the same alone, and to the exclusion of all others, to resort and trade to the coasts and countries of *Africa*, from the Tropic of Cancer to the Cape of *Good Hope*, and the Countries of *America*, or the *West Indies*, from the south end of *Terra Nova* through the Straits of *Magellan* and *La Maire*, or other passages and straits situate thereabout, unto the Strait of *Anyan*, as well on the North as South Sea, and all islands lying on the one and the other side and betwixt both, and extending to the *Australian* or southern countries, and lying between both Meridians, including, in the east, the Cape of *Good Hope* and in the west, the east end of *New Guinea*. Granting, by the second article of the Charter of the 3^d of June, 1621, given to them under Our great seal, further and more particularly, that they, in Our name and by Our authority may, within the aforesaid limits, make and conclude contracts, treaties and alliances with the Princes and Natives of the countries contained therein, erect fortresses and strongholds there, appoint, remove and dismiss Governors, soldiers and officers of justice necessary

Preamble.

Abstract
of the
Charter of
the West
India Com-
pany.

cluded in *America* between both governments in the year 1650, and ratified by Us on the 22^d February, 1656, which shall be as follows, to wit: On the main land from the west side of *Greenwich bay*, being about four miles from *Stamford*, and also to run inland in a northerly direction twenty miles, provided it approach not within ten miles of the *North river*. And further on *Long Island*, from the west side of *Oyster bay* in a straight line south unto the sea, remaining by provision and in conformity as before, the east part of the aforesaid island to the *English*, and the west to the said West India Company and the inhabitants of this country.

to the
Treaty of
Harford
ratified by
the States
General.

Eastern
Boundary
of *New
Netherland*.

Wherefore We request all Emperors, Kings, Republics, Princes, Potentates, Friends and Allies of this State, or Neutrals, to allow the aforesaid West India Company to enjoy and possess the aforesaid limits in peace and quietness, which We shall freely reciprocate towards them on suitable occasions. We further expressly and strictly charge and command all, each, and every person in Our service, and under Our obedience, and especially the inhabitants within the aforesaid limits, punctually, precisely and without opposition, to regulate themselves according to the tenor of this Our Act, and not act or allow others to act contrary thereto, on pain of incurring Our highest indignation and displeasure, and being, consequently, punished as contraveners of Our commands, according as the exigency of affairs shall demand.

West India
Company
not to be
disturbed in
the possession
of the
aforesaid
limits.

Given at the *Hague*, under Our great seal, the paraphure and signature of Our clerk, on the 23^d January, 1664.

judgments exceeding Fifty guilders, pronounced by said Commissaries.

And said Commissaries are hereby specially commissioned and authorized to enact proper Ordinances that the Cornfields and Gardens be carefully fenced, kept inclosed, and the broken fences properly repaired. They hereby command all Inhabitants of the aforesaid Village who already are there, or who will hereafter come thither, to respect and acknowledge the aforesaid Commissaries for such as they are hereby qualified, and all that, until it be otherwise ordained by the Director General and Council aforesaid.

Court empowered to make Local By-laws or Ordinances for the erection and preservation of Fences.

Thus done in *Fort Amsterdam* in *New Netherland*.
Dated as above.

NOTE.—The above Court was composed of Two Magistrates until 14 February, 1674, when two others were added, making the number of Magistrates four. TR.

ORDINANCE

Of the Director General and Council of New Netherland for the Recording of Deeds and Mortgages in Breuckelen, Midwout, Amesfoort and New Utrecht. *Passed 14 February, 1664.*

[N. Y. Col. MSS. X. Part III. 55.]

THE Director General and Council of *New Netherland*, having read and considered the petition of the Schout and respective Schepens of the Villages of *Amesfoort, Breuckelen, Midwout and Utrecht* on *Long Island*, setting forth that many Inhabitants in said Villages neglect to convey in proper form their sold Lands, Houses, and Lots, to the purchasers, and to give a quitclaim therefor, as many were, as they represent, unwilling to bear the trouble, loss of time and expense attendant on going to the *Manhatans*, to the office of the Secretary of the Director General

Preamble.

ORDINANCE

Of the Director General and Council of New Netherland for the better and more careful Instruction of Youth in the principles of the Christian Religion. *Passed 17 March, 1664.*

[N. Y. Col. MSS. X. Part III. 101.]

WHEREAS it is most highly necessary and most Preamble.
important that the youth from childhood up be instructed not only in Reading, Writing and Arithmetic, but especially and chiefly in the principles and fundamentals of the Reformed Religion, according to the lesson of that wise King, *Solomon*—Train up a child in the way he shall go, and when he is old he will not depart from it—so that in time such men may proceed therefrom, as may be fit to serve their Fatherland as well in the Church as in the State. This, then, being taken into particular consideration by the Director General and Council of *New Netherland*, because the number of Children is, through the merciful blessing of the Lord, considerably increasing here, they have deemed it necessary, in order that so useful and God-acceptable a work may be the more effectually promoted, to recommend and command the Schoolmasters, as we do hereby, that they shall appear in the Church, with the Children committed to their care, and intrusted to them, on Wednesday before the commencement of the Sermon, in order, after the conclusion of Divine Service, that each may, in the presence of the Reverend Ministers and the Elders who may be present, examine his Scholars as to what they have committed to memory of the Christian commandments and Catechism, and what progress they have made; after which performance, the Children shall be dismissed for that day, and allowed a decent recreation.

Schoolmasters to catechise the children under their charge, every Wednesday, in the presence of the Minister and Elders of the Church, after which the children to have a Holiday.

Done, *Fort Amsterdam* in *New Netherland*, dated as above.

ORDINANCE

Of the Director General and Council of New Netherland, against Non-residents selling by retail at Fort Orange. *Passed 22 April, 1664.*

[N. Y. Col. MSS. X. Part III. 193.]

No person
to sell by
retail at
Fort Orange
unless he be
a resident,
or have
taken out
Burgher-
right.

It is hereby provisionally, and until better experience, consented, that no person shall be at liberty to sell by retail to any Christians within the hamlet of *Beverwyck* and the jurisdiction of *Fort Orange*, by the small measure or weight, any Wares, except such as own a House there, or else have resided there a year and six weeks, or have kept fire and light, or have hereafter purchased Burgherright at a moderate price. Dated as above.

ORDINANCE

Of the Director General and Council of New Netherland for the better regulating and keeping of Fences on Manhattan Island, and for the appointment of Fence Viewers. *Passed 23 June, 1664.*

[N. Y. Col. MSS. X. Part III. 239.]

Preamble.

WHEREAS many complaints are made to the Director General and Council of *New Netherland* that the Fences around some Bouweries on *Manhattan Island* are not kept up as well as they ought, whereby others have suffered and are still liable to sustain serious damage in their Cornfields by the trespassing of the Cattle, if seasonable provision be not made therein; the Director General and Council aforesaid have, therefore, thought it necessary, in order to prevent such in future, annually to commission and appoint three persons as Overseers of Fences, who shall go the rounds every three weeks or month to inspect the Fences, and on finding any Fences out of order, to notify and warn the proprietors thereof that they shall immediately repair the

Three
Fence
Viewers to
be appointed
on *Man-*
hattan
Island.

Their
duties.

same; and in case it be not done on the notification, the warned person shall pay, for the first time Twelve guilders; for the second warning, twice as much; and for the third time, 50 guilders; and, in addition, pay the damage which may be caused by the trespass of the Cattle in consequence of the imperfection of the Fences; the fine to be applied, one-third to the maintenance of the Pound, two-thirds for the Overseers and, in case the persons warned are unwilling to pay the fine on the notification and demand of the Overseers, and they are obliged to notify the Officer thereof and to request his assistance, then the person warned shall incur a double fine, to be applied at the discretion of the Judge.

Persons neglecting to repair their Fences to be fined, and pay damages.

Fines, how to be applied.

Double Penalty imposed in certain cases.

And *Dirck Siecken, Ariaen Cornelissen* and *Jan Langestraet* are appointed and commissioned as Overseers for this year.

Names of Fence viewers.

Thus done in *Fort Amsterdam* in *New Netherland* the 23 June, A° 1664.

ORDINANCE

Of the Director General and Council of New Netherland for the better regulation of the Trade with Indians. *Passed 23 June, 1664.*

[N. Y. Col. MSS. X. Part III. 941.]

THE Director General and Council of *New Netherland*,

To all those who shall see these Presents or hear them read, Greeting, make known.

WHEREAS divers complaints have at various times been made, not only by the Inhabitants, but even, also, by the Indians, that the latter were not permitted to go where they pleased with their Peltries and other Wares which they bring to market, but that, on their first arrival, were, by some persons seeking their own profit, assailed, taken by the arm and

Preamble.

No person
to obstruct
Indians on
their land-
ing with
Furs or
other com-
modities,
but allow
them to
go where
they please.

Penalty.

Fines how
to be ap-
plied.

dragged with their Goods against their will into one house or the other, without allowing the Indians to barter and exchange elsewhere their Peltries for such goods as they may require, whence, then, from time to time many difficulties arise, and still more may result, unless seasonable provision be made therein; Therefore the Director General and Council afore-said, in order to prevent such irregularities, do hereby Ordain, enact and command that, from this time forward, no person, whether he follow the business of trading with the Indians or not, shall be permitted, by himself or by others, either directly or indirectly to accost, or to take along with him the Indians on their arrival at the River side or landing, or the Peltries and other wares which they have brought with them, or to cause the goods to be carried to his house, but shall allow the Indians to go with their Merchandise where they please and think fit, on the penalty that he who acts contrary hereto shall forfeit, for the first time, 25 guilders; for the second time, 50 guilders, and for the third time, 100 guilders, in Wampum; and, further, be corrected at the discretion of the Court. The fine to be applied, one-third for the Officer who institutes the complaint, one-third for the Informer, and the remaining third for the Church.

Thus done in *Fort Amsterdam* in *New Netherland*, the 23 June, A° 1664.

ORDINANCE

Of the Director General and Council of New Netherland for the more careful Navigation of the North River. *Passed 17 July, 1664.*

[N. Y. Col. MSS. X. Part III. 280.]

ALL Sloop captains sailing up and down the North River are, owing to the perilous situation of affairs, hereby warned and ordered not to navigate up and down the River until further orders, unless, at least, two in company, and then only properly manned, so as to prevent disaster, on the fine formerly enacted. In like manner they are also commanded to touch, when going up and down, at the *Esopus*, and to demand a pass from Commissary *Beeckman*, as a proof that this, our Order, has been obeyed, on a fine of 25 guilders, according to former Ordinance. Dated as above.

Sloop captains not to go up or down the North river, except two together.

To touch at the *Esopus* and procure a Pass.

Penalty.

Between September, 1664, and August, 1673, the country was in possession of the English.

ORDINANCE

Of the Commanders and Council of War of New Netherland, altering the Form of Government in the city of New Orange. *Passed 17 August, 1673.*

[N. Y. Col. MSS. XXIII. 10.]

THE Commanders and Hon^{ble} Council of War in the service of their High Mightinesses the Lords States General of the *United Netherlands* and his Serene Highness, the Prince of *Orange*, &c., Greeting:

Whereas We have deemed it necessary, for the advantage and prosperity of our city, *New Orange*, recently restored to the obedience of the said High and Mighty Lords States General of the *United*

Preamble.

FREEDOMS AND EXEMPTIONS

Of the several Towns in Achter Col. *Granted 18 August, 1673.*

[N. Y. Col. MSS. XXIII. 12.]

THE Commanders and Hon^{ble} Council of War, having considered and read the Petition of the inhabitants of the villages of *Elizabets Towne, New-Work* and *Piscattaway*, have ordered thereupon that all the inhabitants of those towns shall be granted the same Privileges and Freedoms as will be accorded to native born subjects and Dutch towns; also the Petitioners and their heirs shall unmolested enjoy and possess their lawfully purchased and paid for lands, which shall afterwards be confirmed to them by the Governor in due form; in regard to the bounds of each town, they shall hereafter be fixed by the Governor and Council; in respect to impressment, none of the English nation shall, in time of war with his Majesty of *England*, be impressed against their own nation on condition that they comport themselves quietly and peaceably, but their ships and boats shall be subject thereto. Concerning inheritance, they shall have to regulate themselves according to the laws of *Netherland*, but be at liberty to dispose of their property by Will, according to their pleasure; and in case any wish to depart from this government with their property, they shall be at liberty so to do within the term of six months, on condition of previously paying their debts, and obtaining proper passport from the Governor. Furthermore, no person shall be suffered to settle within this government without the Governor's previous approbation; and, finally, the Petitioners are granted and accorded Freedom of conscience as the same is permitted in the *Netherlands*.

Inhabitants of *Elizabets town, New-ark and Piscattaway* granted the same privileges as Native born subjects, with the quiet possession of their lands.

Boundaries of Towns to be hereafter determined.

English Inhabitants not to be impressed in time of war.

Laws of the *Netherlands* to govern in cases of inheritance.

Inhabitants at liberty to dispose of their property by Will, and may quit the Province, on paying their debts, and obtaining passports.

Freedom of Conscience granted according to the Laws of the *Netherlands*.

together with outstanding debts belonging to the Kings of *France* or *England* or their subjects as aforesaid, We, in the name and on the behalf of their High Mightinesses the Lords States General of the *United Netherlands* and his Highness the Prince of *Orange*, do hereby seize and arrest; and to the end that no man may pretend ignorance hereof, We do hereby most strictly order and charge all our subjects in whose hands or under whose care any of said houses, lands, goods and effects together with outstanding debts may be remaining, to surrender and in writing make known the same within the space of ten days after the publication hereof, to our Secretary *Nicolaes Bayard*, under the penalty of double the value of the goods which contrary to this order and Edict shall hereafter be found in their hands and keeping, to be applied, one-half to the informer and the other half to the government, and in addition to be banished out of this Province.

And whereas it has come to our knowledge, that Mr. *Thomas de Laual* hath, contrary to the Capitulation for the surrender of the country, appropriated to himself a lot of Negroes and other of the Incorporated West India Company's effects, also the revenue from the tapsters' excise on wine and beer, without paying the debts which according to the Capitulation were to be discharged therefrom; We have, therefore, deemed it necessary also to attach his property real and personal which can be found here, until we shall receive satisfaction in the premises, or reasons be adduced why those debts have not been paid. And all and every who may have on hand any property belonging to the aforesaid *de Laual*, or know where any of it is concealed, are required to make the same known to us, on pain and fine as abovementioned, and each and every are hereby warned and admonished against damages.

Outstanding debts in *New Netherland*, belonging to the Kings of *England* or *France*, or their subjects, sequestrated.

Persons in possession of such property to make a return thereof in ten days to the Secretary of the Province.

Penalty.

Thomas de Laual having appropriated public property, and the revenue arising from the Excise,

His property is attached until he refund the same.

Persons having property belonging to said *Laual*, to make known the same on penalty as herein set forth.

Dated *Fort Willem Hendrik*, this 18th of August, A° 1673.

(Signed,) *Jacob Benckes, Cornelis Evertsen, Junior.*

A C T

Of the Commanders and Council of War of New Netherland, confiscating Shelter Island and conveying the same to Nathaniel Silvester. *Passed 28 August, 1673.*

[N. Y. Col. MSS. XXIII. 33.]

WE, *Cornelis Evertse* the younger and *Jacob Benckes*, Commanders, with our adjoined Council of War from the fleet in the service of their High Mightinesses the Lords States General of the *United Netherlands* and his Serene Highness the Prince of *Orange*, Greeting, make known.

Preamble.

That, in virtue of our Commission from their High Mightinesses and his Serene Highness the Prince of *Orange*, we are authorized and empowered with our ships of war and intrusted military, to wage war and hostilely to inflict all possible loss and damage both by water and by land, on the Kings of *England* and *France* and their subjects, and if possible to take and conquer them and when conquered to confiscate [their property] and to declare it forfeited for the behoof of the said High and Mighty the Lords States General of the *United Netherlands* and his Serene Highness the Prince of *Orange*, and furthermore to dispose thereof to the best advantage; We, therefore, pursuant to our aforesaid Commission, have endeavored to execute the same, to which end, having by force of our arms lawfully taken and restored under the obedience of our aforesaid Lords and Masters, *Fort James* now called *William Hendrik*, with the city of *New York* now named *New Orange*, situate on the *Island Man-*

Fort James
called *Fort*
William
Hendrick,
and *New*
York called
New Orange.

hatans, with all the lands, places and territories thereunto depending, as they were lately possessed by the subjects and in virtue of the commission of his Majesty of *England* under the patroonship of the Duke of *York*, among which lands and territories is also found a certain island known by the name of *Shelter Island*, situate east of *Long Island*, at present in the possession of *Nathaniel Silvester*, yet a part thereof belonging in real property to the heirs of *Constant Silvester* and *Thomas Middeltowne* residing in *England* and *Barbadoes*, being subjects and vassals of his said Majesty of *England*, and of a consequence equally open enemies of our Lords and Masters aforementioned, to whom in no wise can be granted the freedom accorded to all others our actual good subjects, who have willingly submitted themselves under our obedience, but agreeably to the customs and laws of all nations, the goods and effects of the said our enemies ought to be confiscated. Therefore have we, in virtue of our aforesaid Commission, after having previously had mature deliberation with our Council of War on the subject, confiscated for their High Mightinesses the Lords States General of the *United Netherlands* and his Serene Highness the Prince of *Orange*, all the right, property, action and claim which the aforesaid heirs of *Constant Silvester* and *Thomas Middeltowne* or any other persons, our lawful enemies have in the aforesaid island called *Shelter Island*, as we do hereby declare forfeited and confiscate their interest and property for the behoof of our Lords Masters, with this understanding however, that in this confiscation are by no means included, but on predetermined deliberation most expressly excluded, whatever interest and right said *Nathaniel Silvester* hath to said island or other his real and personal goods, effects and furniture, Negroes or whatever else is lawfully belonging to him within

Shelter Island owned in part by *Constant Silvester* and *Thomas Middeltowne*, English subjects.

Their share of said island confiscated.

Right of *Nathaniel Silvester* in the above island and his other property, not included.

this government, as, because of his submission under our said Lords Masters their High Mightinesses the Lords States General of the *United Netherlands* and his Serene Highness the Prince of *Orange*, equal protection is granted and allowed to him the same as to all others our good subjects.

Dated *Fort Willem Hendrick*, the 28th of August, 1673.

ORDINANCE

Of the Commanders and Council of War of New Netherland against entertaining Strangers in the City of New Orange. *Passed 11 September, 1673.*

[N. Y. Col. MSS. XXIII. 63.]

Preamble.

WHEREAS it is found that many Strangers are daily passing in and out of this City of *New Orange* without giving an account of themselves or their business, or whence they come or whither they are going, which at this conjuncture of time ought no wise to be tolerated or allowed in a well governed city. In order then to obviate the same in future, We, the Commanders and Hon^{ble} Council of War of this Our newly recovered Province of *New Netherland*, do Ordain and direct that all Strangers who have not taken the Oath of allegiance or obtained any license from Us, shall depart, within 24 hours after the publication hereof, from this City and its jurisdiction, and that from this time forward no one but our faithful subjects only shall presume to enter this city of *New Orange* until they have previously obtained our License to that effect, on pain and penalty to all those who shall be found within this City and its jurisdiction contravening this our Order, of being considered enemies of our State, and

Strangers who have not taken the oath of allegiance to quit *New Orange* within 24 hours, unless speedily permitted to remain.

Foreigners entering the city without leave to be treated as Spies.

consequently treated as Spies and disturbers of its public peace.

And that this, Our Order, may be the more effectually enforced, we do interdict and forbid all inhabitants of this City of *New Orange* from entertaining, lodging or giving bed in their houses to any Strangers or outside people, of what Nation soever they may be, before furnishing the names of those Strangers and Outside People, and of the places of their abode, to the Schout of this City before the going down of the Sun, under a fine of Six hundred guilders in Beaver, for each person that will by them be entertained contrary to this Our Order, and, in addition, according to the circumstances of the case, to be arbitrarily punished as an example to others. And the Officer of this City is further required and charged to pay strict attention that this Our Ordinance be executed according to its tenor, and to deliver to the Officer in the Fort, every evening before drum-beat, the names of the Outside people with which he will be furnished.

Names of Strangers to be reported before Sun-down.

Penalty.

Names to be handed to the officer of the Fort every evening before beat of drum.

Let every one be warned hereby and take heed against damage.

Dated *Fort William Hendrick* as above.

(Signed,) *Cornelis Evertse, Junior, Jacob Benckes.*

A C T

Of the Council of War of New Netherland confiscating all property in the Province belonging to the English and French, with certain exceptions. *Passed 20 September, 1673.*

[N. Y. Col. MSS. XXIII. 73.]

THE Hon^{ble} Council of War over a squadron of ships now at anchor in the *North river* of *New Netherland*, on behalf of the High and Mighty the Lords States General of the *United Netherlands* and his Serene Highness the Prince of *Orange*;

To all those who shall see these or hear them read, Greeting :

Preamble.

Whereas we, by a previous Proclamation dated the 18th of August last, for sufficient reasons us thereunto moving, have taken and seized all the houses, lands, goods and effects with the outstanding debts in this country remaining and belonging to the Kings of *England*, *France* and their subjects ; and whereas not the slightest Capitulation was entered into at the last surrender of this Fort and Province to the obedience of their High Mightinesses and his Serene Highness, and consequently in virtue of the war all the goods and effects belonging to said Kings of *France* and *England* and their subjects are liable to confiscation and forfeiture. We, therefore, by virtue of our Commissions do find, ourselves obliged to confiscate all the houses, lands, goods and effects in this country being and belonging to the aforesaid Kings of *England* and *France* and their subjects, without any exception, together with the houses, lands, goods and effects belonging to the Duke of *York*, his late Governor, and Auditor-General, and all other his Military officers in this country, as we do hereby confiscate them for the behoof of their said High Mightinesses and his Serene Highness,

Houses.
Lands and
property in
New Nether-
land belong-
ing to the
English or
French
Crowns,
and their
subjects, the
Duke of
York, Gov-
ernor *Love-*
lace, Mr. *de*
Low and
all the
Duke's
military
officers,
declared
confiscate.

excepting alone the goods and effects belonging to the actual inhabitants of the neighboring Colonies of *New England, Virginia* and *Maryland*, who for sufficient reasons are as yet excepted from this Confiscation. Once more ordering and commanding all and every of our good inhabitants that, agreeably to the tenor of said Proclamation, they discover and make known what is required thereby, on pain as expressed in said Proclamation. Let each one again be warned and take heed of damage.

Goods and effects of actual inhabitants of *New England, Virginia* and *Maryland* excepted.

Dated *Fort Willem Hendrick*, this 20th September, A° 1673.

(Signed,) *Cornelis Evertse*, Junior, *Jacob Benckes*, *Anthony Colve*.

ORDINANCE

Of the Governor General of New Netherland, directing Inhabitants of Hempstead who had not taken the Oath of Allegiance to do so within four days. *Passed 25 September, 1673.*

[N. Y. Col. MSS. XXIII. 85.]

Whereas bij a former Publication Unto all the Inhabitants off this Province it Was Manifested & declared that all Persons that should be Willing to Submitt them selves Under the obedience & take the oath off fidellitij unto the high & Mighty Lords the States Generall off the *United belgick Provinces* & his Serene hignesse the Prince of *Orange* viz Should be Conconsidered as faithful Subjects and Enjoy the Priviledges Equally with the rest off the good Subjects of the dutch Nation, Where uppon amongst the rest of Our good Subjects & Some off the Inhabitants off the Towne off *hemstead* alsoo have Submitted themSelves, but being since Informed that Some off the s^d Inhabitants (although being Legally Sum-

Preamble.

Inhabitants
of *Hemp-
stead* who
have not
already
taken the
oath of alle-
giance, re-
quired to do
so within
four days,
on pain of
being con-
sidered pub-
lic enemies.

moned) have not appeared nor taken the s^d oath off allegiance; I have there fore thought fit to order Publish & declare, & doe hereby order Publish & declare that the s^d Inhabitants off *homstead*, who have not yet taken the oath off allegiance, Shall within the time of 4 dayes, after the Publication here off make theire appearance before me for to take the s^d oath of allegiance or give Satisfaction for there Neglect & delaij herein Uppon the Penalty that the Persons who Shall refuse or neglect the same, Shal be Conclidered as disturbers & Publicq Enemijes off this Common Wealth, and that against their Persons & Estates shall be Proceeded accord-ingly.

Dated at *fort William hendrick* this 25 7^{ber} 1673.

(Signed,)

A. COLVE.

ORDINANCE

Of the Governor General and Council of New Netherland explaining the Duties and Powers of the Schout and Schepens of Midwout, Amesfoort, Breuckelen, New Utrecht, Gravesend and Bushwyck. *Passed 1 October, 1673.*

[N. Y. Col. MSS. XXIII. 83.]

Sheriff and
Magistrates
shall main-
tain the
Reformed
Religion,
agreesably to
the Synod
of *Dord-
recht*.

ART. 1. The Sheriff and Magistrates shall, each in his quality, take care that the Reformed Christian Religion be maintained in conformity to the Synod of *Dordrecht*, without permitting any other Sects attempting any thing contrary thereto.

Sheriff to
preside in
Court, but
in case he
act for him-
self or as
Public
prosecutor,
Senior
Magistrate
to preside.

2. The Sheriff shall be present, as often as possible, at all the meetings and preside over the same; but should he act for himself as party, or in behalf of the rights of the Lords Patroons, or of Justice, he shall, in such case, rise from his seat and leave the Bench, and in that event he shall not have any

advisory much less a concluding vote, but the oldest Schepen shall then preside in his place.

3. All cases relating to the Police, Security and Peace of the inhabitants; also to Justice between man and man, shall be finally determined by the Magistrates of each of the aforesaid Villages, to the amount of, and under, Sixty florins, Beaver, without appeal: In case the sum be larger, the aggrieved party may appeal to the meeting of the Sheriff and Councilors delegated from the Villages subject to his jurisdiction, for which purpose one person shall be annually appointed from each Village, who shall assemble in the most convenient place to be selected by them, and who shall have power to pronounce final judgment to the amount of fl.240 Beavers, and thereunder. But in all cases exceeding that sum, each one shall be entitled to an appeal to the Governor General and Council here.

Court to have final jurisdiction in civil cases to the amount of 60 florins, Beaver currency.

Appeals in actions for a sum not exceeding 240 florins to lie to the Court of Sheriff and Councilors delegated from each village, to be annually appointed, and

In cases exceeding the latter amount, to the Governor and Council.

4. In case of inequality of votes, the minority shall submit to the majority; but those who are of a contrary opinion may have it recorded in the minutes, but not divulge it without the meeting, on pain of arbitrary correction.

Where the Court is divided the minority to submit to the majority.

5. Whenever any cases occur in the meeting in which any of the Magistrates are interested, such Magistrate shall, in that instance, rise and absent himself, as is hereinbefore stated, in the 2^d article, Of the Sheriff.

Magistrates interested in a suit not to act as judges.

6. All inhabitants of the abovenamed Villages, shall be citable before said Sheriff and Schepens or their delegated Councilors, who shall hold their meetings and courts as often as they shall consider requisite.

Inhabitants subject to the jurisdiction of the above Court.

7. All criminal offenses shall be referred to the Governor General and Council, on condition that the Sheriff be obliged to apprehend the offenders, to seize and detain them, and to convey them as prison-

Cases of crime to be referred to the Governor and Council, and Sheriff to arrest offenders

And transmit them, with informations in the case, to the Chief Magistrate.

Minor offenses to be disposed of by the local Court.

Local Courts to make By-laws for the regulation of Highways, setting off Lands, observance of the Sabbath, erecting Churches, School houses, etc., and against petty offenses, subject, in matters of importance, to the approval of the Chief Magistrate;

To enforce Laws and Ordinances of the Supreme government;

Execute orders transmitted by the Governor, and

Acknowledge and maintain the authority of the States General, the Prince of Orange, their rights and prerogatives.

Inferior local Officers, Secretary ex-

ers under proper safeguard to the Chief Magistrate with good and correct informations for or against the offenders.

8. Smaller offenses, such as quarrels, abusive words, threats, fisticuffs and such like, are left to the jurisdiction of the Magistrates of each particular village.

9. The Sheriff and Schepens shall have power to conclude on some Ordinances for the welfare and peace of the inhabitants of their district, such as laying out Highways, setting off lands and gardens, and in like manner, what appertains to agriculture, observance of the Sabbath, erecting Churches, School-houses or similar public works. *Item*, against fighting and wrestling, and such petty offenses, provided, such Ordinances are not contrary, but as far as possible, conformable to the Laws of our Fatherland and the Statutes of this Province; and, therefore, all orders of any importance shall, before publication, be presented to the Chief Magistrate and his approval thereof requested.

10. The said Sheriff and Schepens shall be bound strictly to observe and cause to be observed, the Edicts and Ordinances which shall be enacted and published by the Supreme authority, and not suffer anything to be done against them, but cause the transgressors therein to be proceeded against according to the tenor thereof; and further, promptly execute such orders, as the Governor General shall send them from time to time.

11. The Sheriff and Schepens shall be also obliged to acknowledge as their Sovereign Rulers, their High Mightinesses the Lord States General of the *United Netherlands* and his Serene Highness the Lord Prince of *Orange*, and to maintain their sovereign jurisdiction, right and domain over this country.

12. The selection of all inferior officers and servants in the employ of the Sheriff and of the Sche-

pens, the Secretary alone excepted, shall be made and confirmed by themselves.

13. The Sheriff shall, by himself or deputies, execute all the Magistrates' judgments, and not discharge anyone except by advice of the Court; he shall also take good care that the places under his charge shall be cleansed of all mobs, gamblers, whore-houses and such like impurities.

14. The Sheriff shall receive the half of all civil fines accruing during his term of office, together with one-third part of what belongs to the respective Villages, from criminal cases; but he shall neither directly nor indirectly receive any presents forbidden by law.

15. Toward the time of election, the Sheriff and Schepens shall nominate as Schepens, a double number of the best qualified, the honestest, most intelligent and wealthiest inhabitants, exclusively of the Reformed Christian Religion, or at least well affected thereunto, to be presented to the Governor, who shall then make his election therefrom, with continuation of some of the old ones in case his Honor may deem it necessary.

Dated *Fort Willem Hendrick*, the first of October, 1673.

The preceding Instruction, as registered word for word, is in like manner sent

To Schout *Peter Aldrichs* and the Magistrates of the respective Towns on the *South river*.

To Schout *Isaac Grevenraet* and the Magistrates of the Towns of *Swaenenburgh*, *Horley*, and *Marbletowne* in the *Esopus*.

Also, in English, to Schout *William Lawrence* and the Magistrates of the Towns of *Flushing*, *Hemestede*, *Middelburgh*, *Rustdorp* and *Oisterbay*.

cepted, to be appointed by the local Courts. Sheriff to execute judgments of the Court, and to abate nuisances.

Fees of the Sheriff

Who is not to receive illegal presents.

Mode of electing future Magistrates.

Qualification of Magistrates.

Law transmitted to

South River,

Esopus,

Flushing, etc.,

Southampton, etc.

In English, to Schout *Isaack Arnolds* and the Magistrates of the Towns of *Southampton, Southold, Sealtacot, Huntington* and *Easthampton*.

Achter Col

In English, to Schout *John Ogden* and the Magistrates of the Towns of *Elizabethtown, Woodbridge, Shrousbury, New arke, Piscattaway* and *Middeltown*, situate at *Achter Col*.

Bergen

To the Schout and Magistrates of the Town of *Bergen*, only with this alteration, that in the 3^d par. they shall pronounce definitive judgment to the amount of fl.60, in Beavers, and no further.

Westchester and Staten Island, and

To *Westchester* and *Staten Island* the same as that of *Bergen*.

Schaneghtede.

Schaneghtede, with this alteration only: That those of this Town shall be at liberty to appeal to the Court of *Willemstadt*, for the sum of fl.240 Beavers, and all Criminal offenses shall be referred to the Schout and Magistrates of *Willemstadt*.

ORDINANCE

Of the Governor General and Council of New Netherland providing Means to indemnify parties whose property in New Orange may be taken for public purposes. *Passed 16 October, 1673.*

[N. Y. Col. MSS. XXIII. 119.]

Preamble.

WHEREAS said Houses cannot be removed, except at great and heavy expense to the proprietors, to whom, in return, indemnification and satisfaction ought, in equity, be allowed, because said removal is done for the public benefit and better defense; it is, therefore, resolved that the Grounds and Lots belonging to said persons, with the necessary expense which they shall happen to incur in the removal of their houses, shall be valued by impartial persons, and to the proprietors, instead of these Lots, shall be shown

Land in the city of New Orange taken for public purposes to be valued, and Lots given in exchange.

and conveyed, subject to like valuation, any other Lots within this City, to which they will be at liberty to remove; and whatever their canceled Lots and their expenses in removing their houses will be found to exceed in value what shall be shown them instead, shall be promptly made good, fulfilled and paid to them, from the extra Duty which for that purpose it is resolved and ordered to collect from now henceforth until said indemnity and damage shall be promptly paid to said persons, and no longer, to wit:

Difference of value between the appropriated and exchanged lots to be paid proprietor.

Duty imposed, to pay such damages,

From all Beavers and Peltries which will be exported from this government to *Patria* or elsewhere after the publication hereof, Two and one half per cent.
 From Duffels and Blankets imported from *Patria* or elsewhere into this government, Two per cent.
 And from Powder, lead, muskets, wines, brandies, distilled waters and rum, Five per cent.

On Furs,

Duffels and Blankets

Powder, guns, wines and distilled liquors.

Hereby ordering and commanding all and every the subjects and inhabitants of this government and all others whom it in any wise concerns, that they shall have to give notice to the Collector, of the Importation or Exportation of the above specified goods, and shall pay therefor the said extraordinary duty in manner as aforesaid on pain of the forfeiture and confiscation of the Imported or Exported goods, to be applied agreeably to the Ordinances and Edicts enacted against Smuggling.

Duty to be paid on pain of confiscation of the goods imported or exported

Dated *Fort William Hendrick*, this 16 of October, 1673, in *New Netherland*.

Ordinances
of the Town
of Bergen
approved.

23 *October*, 1673. The Governor and Council approved of certain Ordinances enacted by the Schout and Schepens of the town of *Bergen* for the observance of the Sabbath, respecting Fences, &c., with the reservation that works of charity and necessity on the Sabbath, with the knowledge of the Officer, shall be tolerated. *N. Y. Col. MSS. XXIII. 133.*

NOTE.—These Ordinances are not among the Records in the Secretary's Office. TR.

ORDINANCE

Of the Governor-General and Council of New Netherland directing the demolishing and removal of certain Buildings in *New Orange*, and providing payment for the same. *Passed 16 October, 1673.*

[*N. Y. Col. MSS. XXIII. 119.*]

Preamble.

WHEREAS *Fort Willem Hendrick* and the city of *New Orange*, situate on *Manhatans Island*, is seriously incumbered and weakened by the Houses, gardens and orchards which lie so close under its walls and bulwarks, that it is impossible to defend it properly when occasion requires, against its enemies, unless at least some of those houses, lots and orchards be demolished and removed. It is therefore considered necessary by the Governor General, by and with the previous advice of his Council, to demolish, pull down, and remove the undernamed Houses, gardens and orchards, and the owners thereof are hereby most strictly ordered and commanded instantly to commence demolishing and pulling down their houses, gardens and orchards, and to remove them to such lots as are laid out within this City by the Governor's order to that end, and shall be shown to each of them by the Burgomasters; on pain of

Owners of
designated
property
in *New
Orange*
to remove
and demol-
ish the
same on
pain of for-
feiting all
indemnity.

depriving those who shall be found contumacious or negligent, of the indemnity, which, according to the terms of this publication, are granted and allowed to the following persons or those among them who shall come to remove their undernamed houses, gardens and orchards, and, over and above, on the first arrival of some ships, of having their houses demolished or burned, to wit :

The houses, gardens and orchards of

Peter de Riemer, Lodewyck Post, George Cobbet, Jan Dircksen Meyer, Jacobus van de Water, Symon Blanck, Andries Meyer, Gerrit Hendricx, Peter Jansen Slott, situate under the walls and bulwarks of *Fort Willem Hendrick.*

Names of persons whose Houses, etc., are to be removed.

Gerrit Jansen Roos, Peter Stoutenburgh, Henry Taylor, The Lutheran Congregation, Willem van Vrodenburgh, Peter Jansen Mesier, Martin Meyer Smith, Augustine Hermans, Lysbet Tyssen, Peter Harmsen, situate under the fortification and bulwarks of the city of *New Orange.*

Johannis van Brugh, Sara van Borsim.

But whereas said houses cannot be removed except at great and heavy expense to the proprietors, to whom, in return, indemnification and satisfaction ought, in equity, be allowed, because said removal is done for the public benefit and better defense ; it is therefore resolved, that the grounds and lots belonging to said persons, with the necessary expense which they shall happen to incur in the removal of their houses, shall be valued by impartial persons, and to the proprietors instead of these lots shall be shown and conveyed, subject to like valuation, any other lots within this city, to which they will be at liberty to remove, and whatever their canceled lots and the expenses of removing their houses, will be found to exceed in value what shall be shown them instead, shall be promptly made good, fulfilled and paid to

Value of property appropriated and expense of removal to be appraised, and lots given in exchange.

Difference in value to be paid proprietor.

Duty imposed, to pay damages, on

them from the extra Duty which, for that purpose, it is resolved and ordered to collect from now henceforth, until said indemnity and damage shall be promptly paid to said persons, and no longer, to wit:

Furs,

From all Beavers and peltries which will be exported from this government to *Patria* or elsewhere after the publication hereof, two and one-half per cent.

Indian Goods,

From Duffels and Blankets, imported from *Patria* or elsewhere into this government, two per cent.

Powder, guns, wines and liquors.

And from powder, lead, muskets, wines, brandies, distilled waters and rum, five per cent.

Duty to be paid on pain of confiscation.

Hereby ordering and commanding all and every, the subjects and inhabitants of this government and all others whom it in any wise concerns, that they shall have to give notice to the Collector of the importation or exportation of the above specified goods, and shall pay therefor the said extraordinary duty in manner as aforesaid, on pain of the forfeiture and confiscation of the imported or shipped-off goods; to be applied agreeably to the Ordinances and Edicts enacted against smuggling.

Dated *Fort Willem Hendrick*, this 16th of October, 1673, in *New Netherland*.

(Signed,) *A. Colve, Cornelis Steenwyck, Johannis van Brugh, Johannis de Peyster, Egidius Luyck*

ORDINANCE

Of the Governor General of New Netherland prohibiting the sale of strong liquors to soldiers in garrison at New Orange. *Passed 31 October, 1673.*

[N. Y. Col. MSS. XXIII. 145.]

WHEREAS, it is found by daily experience that the Burghers of this city of *New Orange*, sell strong drink and give credit to the Soldiers, which has given rise to much mischief; therefore all inhabitants and Burghers are hereby ordered and commanded not to sell strong drink to any Soldiers or Matrosses garrisoned in the Fort here, or to give them credit on the pledge of their clothing, arms, or any material belonging to the Fort here, on pain, if contravening this, of forfeiting all pay for the delivered goods; and whoever hath already received payment in clothing, arms, or material of the Fort, shall be obliged to restore the same, with double the value thereof. Let each and every be warned hereby and take heed of loss.

Preamble.

Sale of strong liquors to Soldiers, and taking their clothing, etc., in pawn, prohibited.

Penalty.

Dated *Fort Willem Hendrick*, this 31st October, 1673.

By order of the Governor General of *New Netherland*.

(Signed,) N. BAYARD, *Secretary*.

ORDINANCE

Of the Governor General and Council of New Netherland, prescribing the Duties and Powers of the Court of Willemstadt and Rensselaerswyck. *Passed 8 November, 1673.*

[N. Y. Col. MSS. XXIII. 150.]

1st. THE Sheriff and Magistrates shall, each in his quality, take care that the Reformed Christian Religion, agreeably to the Synod of *Dort*, shall be maintained, without suffering any attempt to be made against it by any other Sectaries.

Sheriff and Magistrates to maintain the Reformed Religion, according to the Synod of *Dort*.

Sheriff to preside in Court, but in case he be an interested party, or Public prosecutor, the Senior Magistrate to preside.

2. The Sheriff shall be present, as often as possible, at all the meetings, and preside over the same; but should he act for himself as party, or in behalf of the rights of the Lords Patroons, or of Justice, he shall in such case rise from his seat and leave the Bench, and in that event he shall not have any advisory, much less a concluding, vote, but the oldest Schepen shall then preside in his place.

Court to have final jurisdiction in Civil cases to the amount of 240 florins.

3. All cases relating to the Police, Security and Peace of the Inhabitants; also to Justice between man and man, shall be finally determined definitively, by the Magistrates of the aforesaid Town of *Willemstadt* and Colonie *Renselaerswyck*, to the amount of, and under Two hundred and forty florins, Beaver, without appeal: In case the sum be larger, the aggrieved party may appeal to the Governor General and Council here; Also all judgments pronounced by the court of *Schaneghtede*, and amounting to upwards of sixty guilders, Beaver value, and as high as fl.240, Beaver, as aforesaid, may be carried by appeal and determined by the court at *Willemstadt*.

In actions of a larger amount, appeal to lie to the Governor and Council.

Judgment of the Court of *Schaneghtede* between 60 and 240 florins applicable to the Court of *Willemstadt*.

Where the Court is divided the opinion of the majority to govern.

4. In case of inequality of votes, the minority shall submit to the majority; but those who are of a contrary opinion, may have it recorded in the minutes, but not divulge it without the meeting, on pain of arbitrary correction.

Magistrates interested in a Suit not to act as judges.

5. Whenever any cases occur in the meeting in which any of the Magistrates are interested, such Magistrate shall, in that instance, rise and absent himself, as is hereinbefore stated, in the 2^d article, Of the Sheriff.

Inhabitants of *Willemstadt* and *Renselaerswyck*, subject to the above Court.

6. All Inhabitants of the abovenamed city and colonie, shall be citable before said Sheriff and Schepens, who shall hold their meetings and courts as often as they shall consider requisite.

In Criminal cases, Court may pronounce sen-

7. All criminal offenses which will be committed there, shall be referred to the jurisdiction of said

Sheriff and Schepens, with power to pronounce judgment thereon, to death inclusive, on condition that all capital sentences be not executed until the approval thereof by the Supreme Court here be first requested and obtained.

tence of death, but not execute judgment until approved by the Supreme Court.

8. The Sheriff and Schepens shall have power to conclude on some needful Ordinances for the welfare and peace of the Inhabitants of their district, provided such Ordinances are not contrary, but, as far as is possible, conformable to the Laws of our Fatherland and the Statutes of this Province.

Court empowered to enact By-laws, provided they are not contrary to the Laws of Fatherland or the Statutes of the Province;

9. The said Sheriff and Schepens shall be bound strictly to observe and cause to be observed, the Edicts and Ordinances which shall be enacted and published by the supreme authority, and not suffer anything to be done against them, but cause the transgressors therein to be proceeded against, according to the tenor thereof; and further, promptly execute such orders as the Governor General shall send them from time to time.

To enforce Laws and Ordinances of the Supreme Government;

10. The Sheriff and Schepens shall be also obliged to acknowledge as their Sovereign Rulers, their High Mightinesses the Lords States General of the *United Netherlands* and his Serene Highness the Lord Prince of *Orange*, and to maintain their sovereign jurisdiction, right and domain in this country.

Execute orders transmitted by the Governor General, and

Acknowledge and maintain the authority of the States General, the Prince of *Orange*, their rights and domain.

11. The selection of all inferior officers and servants in the employ of said Sheriff and Schepens, the Secretary alone excepted, shall be made and confirmed by themselves.

Court to appoint Inferior Officers, except Secretary.

12. The Sheriff shall, by himself or deputies, execute all the Magistrates' judgments, and not discharge anyone except by advice of the Court; he shall also take good care that the places under his charge shall be cleansed of all mobs, gamblers, whore-houses and such like impurities.

Sheriff to execute judgments of the Court, and to abate nuisances.

Fees of Sheriff, who is

13. The Sheriff shall receive the half of all civil fines accruing during his term of office, together with one-third part of what belongs to the respective villages from criminal cases; but he shall neither directly nor indirectly receive any presents forbidden by law.

Not to receive illegal presents.

Mode of Electing future Magistrates.

14. Toward the time of election, the Sheriff and Schepens shall nominate as Schepens, a double number of the best qualified, the honestest, most intelligent and wealthiest inhabitants, exclusively of the Reformed Christian Religion or at least well affected thereunto, to be presented to the Governor, who shall then make his election therefrom, with continuation of some of the old ones in case his Honor may deem it necessary.

Qualification of Magistrates.

Dated 8th of November, 1673.

ORDINANCE

Prescribing the Duties and Powers of the Deputy Sheriff and Schepens of the Out district on Manhattan Island, between the Fresh Water and Haerlem. *Passed 14 November, 1673.*

[New Orange Records.]

Deputy Sheriff to preside in Court, but in case he be an interested party, or Public prosecutor, the Senior Magistrate to preside.

First. The Deputy Sheriff shall preside at all the meetings, but when he officiates for himself as a party, or on behalf of justice, he shall, on such occasions, rise up and absent himself from the Bench, and in this case have neither an advisory much less a casting vote, but the oldest Schepen shall preside in his place.

Court to have final jurisdiction in Civil cases amounting to 100 florins, and in minor Criminal cases.

2nd. The Deputy Sheriff and Schepens are authorized to pronounce definitive judgment, without appeal, in suits for debt between man and man, &c., arising within their District to the amount of fl.100 Wampum currency, also in minor criminal cases, such as fighting, striking, scolding and such like;

but in all cases exceeding said sum of fl.100, the aggrieved person may appeal to the Hon^{ble} Court here.

Appeals to lie to the Court of *New Orange* in suits exceeding 100 florins.

3^{dly}. Whenever any cases come before the court in which any of the Schepens are interested as parties, in such cases they shall rise up and absent themselves from the Bench, as is hereinbefore directed in the first Article, Of the Deputy Sheriff.

Magistrates interested in a suit, not to act as Judges.

4^{thly}. All Inhabitants within the aforesaid District shall be citable before the said Deputy Sheriff and Schepens who shall hold their court as often as necessary.

Inhabitants of the District subject to the above Court.

5^{thly}. The said Deputy Sheriff and Schepens shall be obliged strictly to observe and punctually to execute all such Edicts and Ordinances as shall from time to time be directed to them from the Hon^{ble} Court here.

Magistrates to enforce Laws and Ordinances of the Supreme Government.

6^{thly}. Whereas We are informed of the great ravages the Wolf commits on the small cattle; therefore to animate and encourage the proprietors who will go out and shoot the same, We have resolved to authorize the Deputy Sheriff and Schepens to give public notice that whoever shall exhibit a Wolf to them which hath been shot on this island on this side *Haarlem* shall be promptly paid therefor by them; For a Wolf, fl.20, and for a She wolf fl.30 Wampum, or the value thereof, which said Deputy Sheriff and Schepens shall, by their messenger, levy from those who keep any cattle, large or small, within their district on said Island, each of whom shall, according to the number of cattle, be bound to contribute and pay thereto whatever he shall be taxed thereupon by the Deputy Sheriff and Schepens.

Magistrates authorized to offer rewards for the destruction of Wolves, and

To levy Tax to pay such Rewards.

7^{thly}. Whoever shall fail to pay his fine on the first, second and third notice in the name of the Deputy Sheriff and Schepens, shall be proceeded against with prompt execution by the Deputy Sheriff.

Fines recoverable by execution.

Costs on
executions.

8^{thly}. Whoever shall allow execution to issue, must pay in addition five stivers on each guilder which he owes for the behoof of the Deputy Sheriff for the trouble of the Execution.

Pound to be
kept in
repair.

9^{thly}. Whereas it is necessary that the Pound shall be properly kept, the Deputy Sheriff and Schepens are therefore authorized and ordered to attend that the same be maintained conjointly by those who have lands there; and further, make such orders regarding the impounding of cattle as they shall find for the advantage of Agriculture, which orders each and every are ordered promptly to observe as if they were made by Ourselves.

Court to
enact laws
respecting
impounding
of Cattle.

Impartial
justice to be
adminis-
tered, and

10^{thly}. Said Deputy Sheriff and Schepens shall take good heed in the suits brought before them strict justice to administer, according to the best of their knowledge, without distinction or respect of persons, or any partiality; and further, the Deputy Sheriff shall, as much as possible, prevent and check all disputes and quarrels that may arise within his District.

Disputes
and quar-
rels to be
prevented.

Highways
to be kept
clear.

11^{thly}. The Deputy Sheriff and Schepens shall, as often as they deem necessary, give public Notice that any person who causes or allows trees to fall in a common wagon road shall again remove the same, branches and all, from the road, before the going down of the Sun subsequent to the falling of the tree, and make the road passable, or in default thereof, and in case a fine be imposed therefor by the Deputy Sheriff or his order, he shall pay for each tree found across the highway a fine of fl.20, to be applied one-half for the Deputy Sheriff, and the other half for the Informer; and the person fined shall, notwithstanding this, be bound to remove the tree instantly from the road.

Penalty for
neglect.

Appellant
subject to
double fine,
if his com-
plaint be
unfounded.

12^{thly}. If anyone exhibit any indisposition towards the order of the Deputy Sheriff and Schepens, and come before the Court here, and the matter be

discovered well founded, he shall pay double the imposed fine.

13^{thly}. The choice of all Inferior officers (the Secretary alone excepted) shall be henceforward made by the said Deputy Sheriff and Schepens, and they shall be confirmed in their respective qualities after being approved by the Hon^{ble} Court here.

Court to appoint inferior officers, except the Secretary.

14^{thly}. If anything further be necessary for Agriculture, or should there be any obscurity or omission or want of clearness in these Instructions, the Deputy Sheriff and Schepens shall, on occasion, communicate the fact to the Bench.

Applications for further orders, or explanations, to be made to the Court at New Orange.

And finally, said Deputy Sheriff and Schepens shall, 14 days before the expiration of their year, apply to the Hon^{ble} Court here to receive its order regarding the new Nomination of the Deputy Sheriff and Schepens.

Time for appointing new Magistrates.

Thus done in the City Hall of this City, at the Court of the Schout, Burgomasters and Schepens.

LAWS AND ORDINANCES

Enacted by the Schout and Magistrates of After Coll Assembly held
att Elisabeth Towne, *November 18, 1673.*

[Translations from the Dutch, XXII.]

Members
not in at-
tendance on
the Assem-
bly, or who,
when pres-
ent, may
delay or ob-
struct public
business, to
pay a fine.

FIRST it is ordereen and enacteen by the Authority
about said That if any Member of this Assembly
shall not make his or their appearance at the hour
of eight in the morning every day that this Assem-
bly shall see cause to sitt, every person for none
appearance shall for each time pay a fine
shillings sixpence towards defraying the Assemblys
charges, and what member soever of the said Assem-
bly that neglect, retard or needlessly divert or ob-
struct the businesse of the Assembly, while they are
sitting shall be lyable to pay the like fine as afore-
said.

Towns
within the
district of
After Coll
to provide
each a
Minister
within five
months, on
pain of
being fined.

2. Whereas some Townes in the presencts of
After Coll are destitute of any minnister or Preacher
of goods whoren and the same noeways commend-
ablee nor fit to be allowed among the Christians, be
it therefore enacted, that every Towne in the pre-
sinct affors^d shall use their best and utmost endeav-
ours to procure an Orthordox Minister within five
mondts time after publication hereof, and if any
Towne shall be found to sligt or neglect the
opservation of this act or upon enquiry made the
Inhabitans shall not be ablee to give a satisfactory
account thereof to the magistrates of y^e Towne,
that they have done this and avow as affor'd, they
shall pay a fine pounds each Towne ffor
thiere towne neglect for the ffirst five monds and
accordingly for every five monds after untull they
be provideen.

Against Prophanation of the Lord's day.

3. Be it enacted that if any person shall be found to doe any servile worke or labour, workes of mercy and necessity only excepted, or shall exercize themselves in any unlawful recreation, sports or pastimes, or shall doe any unlawful act, not included under the two clauses affore^d, Hee or they so doing uppon the Sabbath day shall pay a fine of Tenne shillings for each default.

Persons performing servile work, or guilty of unlawful amusements on the Sabbath, to pay a fine of ten shillings.

Against Disturbance of the Publique peace.

4. Itt is ordered and enacted by the said Authority, that whosoever shall be found within the Schowship to disturbe or undermine the publique pease of the *New Netherlands*, whether by plotting, conspiring, or countenancing with others or by any other tumultuous offenciv carriage, or shall presume to defame the Honoured Governo^r or Govern^t by reproachful traduseing, reviling, undervalling speeches, every person soe offending shall be fforthwith apprehended sent to the Governo^r to be judged, sentenced, condemned, cleared, as hee shall find cause.

Disturbers of the public peace, or defamers of the Government, to be arrested and sent for trial to the Governor.

5. Be itt hereby enacted that if any person or persons molest or disturb any Congregation in their publique worship, whic are conformablee to the true Protestant Christian Religion by reviling, schandefully or otherwise in the like manner every suth person, the ffact being sufficient proved against them, shall pay a fine of ffive pounds.

Disturbers of Public Worship, to be fined, each, £5.

6. It is further enacted, that what person soever that says any whorts speeches tending to reproach, scandal and disrespect of the Schout Magistrates or other officers civil or of the millicia, now in office or that hereafter shall in this present Governm^t, all such persons shall be left to the judgment of the Court the offence being first duely wayhgeen and considereen.

Evil speakers of the Magistracy or other civil or militia Officers, amenable to the Court.

Against prophane swearing and cursing.

Blasphemy,
cursing or
swearing to
be punished
by fine.

7. It is enacteen that what person soever shall curse or sweare by the name of God, or any of the Trinitie of the Godhead, each person shall pay ffor every such offence a fine of tenne shellings and for all other same swearing or cursing every person soe doeing shall each time pay one shilling ffine.

Against the vice of drunkennese.

Drunken-
ness punish-
able by fine.

8. It is ordend that whosoever shall be overtake with strong antoxicating drink, whereby to deprive themself of common sense and reason, each one shall pay ffor the first default, two shillings sixe pence, and all those who shall incourageably persist in this vice shall for te comen time pay a ffine or penalty of ffive shillings, and the thieren time ten shillings, and accordingly for every time after.

Double and
treble fine
to be im-
posed, if
offence be
repeated.

Against unsult carriage mongst Neighbours.

Persons
taking
property
belonging
to others
without per-
mission, to
make good
damages
and to pay
a fine.

9. It is ordereen by the authority aforesaid, that no person whatsoever shall take away any cannoe or other vesell, nor any oxen, horse, Foles or other unteltins whatever from his, her or theire neighbour or others without have first obtaineen ffrom the owner upon the penalty of making good al damages w^h may be sustayned thereby, besides paying a ffine for their unfest doeing.

Against the sinne of stealing.

Persons
convicted
of Theft, to
make resti-
tution and
pay dam-
ages, and to
be fined in
the full
value of the
stolen
property.

10. Itt is enacteen, that if any person shall be found to steal any good or chattels from any others, and being lawfully convieteen there of thy shall make ffull restitution of the principlee or the vallue hereof to the owner and pay whatever damages shall arise thereon and shall likewise pay the vallue of the stolne good or chatles as a ffine ffor there sinne & offence.

On Fornication.

11. Itt is enacted, that if any single man shall commit fornication with a single woman they shall be punished hither enjoyningh marriage and paying a ffine of ffive pounds, in case they shall not marry then they shall pay a ffine of tenne Pounds, and the man soe miscarrying shall be obliged to maintaine the childe begotten in ffornication.

Fornicators to marry the woman, if single; On refusal to marry her, to be fined and to maintain the child.

Against false Swearing not touching life.

12. Be it enacted, that what felon soever shall sweare ffalsely against their neighbour or others, every one so doingh upon lawfull conviction thereof shall make good the like fful damages which any shall sustaine thereby, and noe such person shall ever after have the previlidge of his or her oath or be permitted to sweare against another in any case, untill by vizable repentance and apparend amendment of life he, or they shall be released by lawful authority from the same, and ffor his or their sinne against God each one shall be left to the judgment of the Court, as the circumstances and aggravation of the case shall manifestly appear.

Persons convicted of False swearing, to make good damages, and not to be allowed to give evidence until they repent and be legally restored to their former status, subject, however, to further judgment of the court.

Against lying and Slaundering.

13. Itt is enacteen, that if any person shall with- ingly, willingly make and publish any lye, tending to the damage of any person, or whit intend to deceive People with ffalse news or report and the same be complained of and proved he or they shall pay ffor their lying each time tenne shillings, and notwithstanding Liberty is reserved ffor any person to proceed against all such offenders according to law.

Persons convicted of lying, or circulating false reports, to be fined, and subject to be prosecuted by such as feel themselves damaged.

To prevent disorderly & boisterouse carriage.

14. It is ordered, that in case any person hither in their distempered statten or otherwise quarrel, ffight,

Assaults, quarrels, etc., to be punished

according to
the pleasure
of the court.

wound, maime or hurt any of the State's subjects every person and cace shall be referreen to the judgment of the Court, to determine thereof as they find cauce.

To prevent troubles and damage by unjust suites in law.

Parties con-
victed of
instituting
vexatious
suits to be
fined.

15. Itt is enacted, that if any person or persons shall falsely pretend great damage or debts, or discredit, troublee or vex his, hir or theire adversary the court upon discovery and prooffe shall have power to sett a reasonable fine upon the head of any such offender, and in all cace where it appeared that the plaintiffe hath wittingly & on purpose wronged the defendant, in commencing and prosecuting any action, write a complaint or enditement in his owne name or in the name of others, he shall besides just damages to the party wrongeen, be fined forty shillings or lesse according to the merit of the cauce.

For the encouragement of God's Worship.

Each Town
to erect a
Meeting
house,
within
twelve
months, on
pain of fine.

16. It is ordereen and enacteen, that every Towne in the destriect shall build, erect and set up a confenient meeting, within twelve months time after publication, in caces of any Townes default they shall each pay a fine of nine pounds.

An order about Wolves.

Reward
for the
destruction
of Wolves.

17. Be it enacted ffor the encouragement of all persons to kill and destroy wolves, that any person who killed a Wolfe and bringeth the head with the ears and skinne and tonge in the mound unto de Stebo of any of any towne shall receive 20 shillings of the publicque Treasury and ffor all young wolves heads brought in condition aforesaid 10 shil—

Public Inn
or Ordinary
to be estab-
lished in
each Town
within
twelve
months, on
pain of fine.

18. It is order and enacted by the authority aforesaid, that each Towne in the presencts of *After Coll* shall within twelve monds after publication hereof set up and contenne an Ordinary or house of en-

tertainment ffor Passengers and others upon the penalty of paying five Pounds for every monts neglect after the time prefixen.

Ffor the encouragement of ordinary keepers.

19. Itt is ordereen, that no person in any Towne in this presencts shall sell or retaile any sort of liquors or strong drinke either directly or indirectly by any small measure under the quantity of three gall: without a license or ticket ffrom some magistrates of the Towne wheare they live, upon the penalty of 40 sh. fine, half of which shall be allotteen to the Informer and the other halfe as there shall be occasion.

Tavern
keepers to
take out
license.

Penalty.

To prevent disorders in Ordinaries.

20. It is enacted, that noe Ordinary keeper shall give entertainment to any Towne dweller, either children, servants or others, except upon honest and very urgent businesse after nine of the clock in the evening, nor shall any ordinary keeper allow or suffer any disorderly carriage in his house by any person either Stranger or others, as fighting, quarrelling, drunkenness and such like upon the penalty of five shilling ffine for each default, if complained of and proved against.

Tavern
keepers not
to entertain
after nine
o'clock
at night, or
to allow
fighting,
quarrelling
or drunken-
ness on their
premises,
on pain of
5s. fine for
each
offense.

9

To prevent questions and troublesome suites, whigh arise betweene men about horses running in the Woods unmarked.

21. It is therefore enacted, that each plantation in this Schoutship shall have a marking iron or flesh-brand for themselves in particular to distinguish the horses of one Towne from another, namely *Elisa Towne* E as a brand marke; *New Worke* N; *Wood-bridge* W; *Piscataway* P; *Middle towne* M; *Shrewsbury* S. Which Towne brand marke is to be vizably and sufficiently sett upon the off buttock of each

Towns to
have dis-
tinct brands
for Horses.

Town
marks.

Where to
be set.

Owners of horses to have, each, his own mark.

Officer to be appointed in each Town to record owners' marks, etc.

Fee of Branding officer.

Penalty for marking Horses contrary to law,

Or counter-fetting other men's marks.

horse, mare and colt, belonging to that plantacon, and every owner shall marke all his horses and horse kind with his own particular marke that one mans horses may be knowne from another, and there shall be in each Towne an Officer appointed to recort each particular man's marke and to se all men's horses, mares and colts branded and recorded, the age as all markes with the yeare and day of the month when branded, and in each Towne the officer for his paines and cares to receive six pence of the owner for every horse, mare and colt soe branded and recorded. Besides the officer to require satisfying evidence of each man's right upon a horse or horses presented and to record defects of evidence, and after publication hereof al persons are duely (warned) to attend this Order, and whosoever shall marke any horses contrary hereunto, they shall be fforfeited and if any person shall presume to marke another mans horses or any particular horse, hee shall make good all damages and pay thrice the value of any horse or horses soe markeen, as a penalty for his unjust deed.

To prevent great damages occasioned by Strangers driving their Horses through After Coll to Maryland.

Horses purchased, or intended to be taken to Maryland or elsewhere, to be brought to the Branding officer of the Town to be recorded, and then entered and cleared at Piscataway or at Middletown, on pain of forfeiture of the Horses.

22. It is enacteen, that whosoever shall bring any horses or horse kind into this presinkt to be transported to *Maryland*, or else wheare, he or they shall bring the said horses to the officer that is appointed to marke and recort horses in that Towne whear they shall first arrive and give in a list of the number and marks of the said horses and the said persons are obliged to take a copy of the said list under the officer's hand and to carry the same to *Piscataway* Towne, and there they shall Theclare the same to the officer in the said Imploymn^t there who is toe peruse the same, and to view the horses before they shall goe any further, the like is provided in

case the said Traveller buy any horses here in any Towne, they shall be entered where they buy and cleared in *Piscataway*, and in case any person be found to break this Order, they shall forfeite all the horses soe transported, The one halfe for the Informer, and the other halfe for public use, and it is to be understood that such as Transport horses by way of *Nivesinc* are not obliged to call at *Piscataway*, but they shall enter their horses at *Midle Towne*, as before provideen, and upon the like penalty in case of their neglect.

For the better establishment of the boundaries and limits of Townships.

23. Itt is therefore ordered, that forthwith after the Publication of this Order every Towne shall bring in the bounds of the Towne and certifie the same fully and clearly and enter to the Secretary in writing, in order to be presented to his Honour the Gouvernour ffor the Confirmation, and in case of any Townes neglect, they shall pay tenne pounds ffine.

Towns to make return of their boundaries.

Penalty.

Consearning Surveying.

24. It is ordered, that the Inhabitans of each Towne shall make choyse of the most ffit persons for surveying to survey and lay out upland and medow in every Towne, which survey^r shall be establish in every Towne by the Magistrates.

Town Surveyor to be appointed.

To prevent damages by neglect of Surveying.

25. It is enacted by the same authority that every Surveyor of land shall duly attend to his worke and Imployment in laying out the Inhabitans land, according to Towne agreement, and in case of refusal or wilful neglect, they shall pay all damage that the owner of the land shall really sustaine thereby, besides a fine shillings for such a neglect.

Surveyor to lay out each inhabitant's lands, on pain of damage and fine.

An order for Publique Works.

Each inhabitant, minister and magistrates excepted, to work three days on the public roads.

Commissioners of Highways to be elected in each Town.

Penalty for neglecting to work on the Highways.

Extra work to be performed when required.

Highways to be kept clear and unobstructed.

Penalty.

26. Itt is ordereen, that all the Inhabitants of every Towne, minister and magistrates excepted, shall expend and diligently perform three days worke each man every yeare in and about the most necessary occasions that each Towne requireth in cleaning the streeds and High wayes in each Townes bounds a convenient place ffor trayning and such like worke, and the said dayes worke shall be performed at such times as the veiwers of the High wayes or Townes men shall call fort them, whig viewers are to be chosen in each Towne by the Inhabitans, and in case any person shall neglect the s^d worke after warning given them, by the same viewers, they shall pay each man ffive shillings for each days neglect, and is further ordereen, that if any Towne or their Townes men ffinde it needful to doe more dayes workes then is before expressed, the Inhabitants are oblidged to performe the same upon the penalty as aforesaid.

27. It is likewise ordereen, that who soever shall cut downe any trees, wood or underwood which may annoy any High way or cuntry road, whereby the convenient passage of Travellers or others may be obstructed every such person shall remove the said tree, Trees or wood, and to clear the High (way) of any incumbrance by his or their means as aforesaid, upon the penalty of paying five shillings for each daye neglect, halfe whereof shall be for the informer.

ffor the Security of housing, fences.

Each house-keeper to provide and have, within one month, a sufficient ladder for his house, on pain of paying 1s. every week he neglects to do.

28. Whereas considerable losse and damage hath happened by the fire in the combustable houses in the country, so is therefore enacteen that every house keeper belong to each Towne shall make or provide keep & mainetaine a good sufficient ladder to reach thee top of his house within one month

after publication hereof upon the penalty of paying for every weekes neglect one shilling, and whereas many people for bye ends and respect of their owne doe make ffires in the woods ffields and meadows and doe ther by great damage to rafters hay and other combustable matter, it is therefore further ordered, that noe person shall make or cause to be made any ffires aforesaid upon the penalty of making good all damages which any person shall sustaine ther by and pay a fine of tenne shillings ffor each breach of this act.

Fires in the woods or fields prohibited.

Penalty.

An order for making ffence.

29. It is ordered, that every Towne within this Schout-ship shall by the 10 day of March next make and maintaine good sufficient ffence, who shall be ffowre food two inches in height and otherwise substantiall in all respect, to turne cattle and swine, and ffor the due observation hereof each Towne shall order and appoint men of skill and understanding to viewe all fences on every yeare, and whosoever they shall ffinde any deficient ffence, they are to give notice thereof to the owners, whoe art obligen securely to repaire the said fence within the space of three or fowre days, upon the penalty of paying one shilling fine every Roe for each dayes neglect besides making good all damage occasioned by the defective ffence, and the like is provided in case of bush ffence discoveran and proved by any other persons although it should be without the cognizance of the fans viewers.

Fences to be erected.

Height of fence.

Fence Viewers to be appointed.

Owners of land to repair fences within three days, on receiving notice, on pain of fine and paying damages.

To prevent damages (by) Cattle & Swine.

30. Whereas great spoyle and damage hath been done by unruly and boysterous cattle & swine, it is therefore enacted, that all such swine shall be yoaked or otherwise secured, an al unruly cattle in the like

Swine to be yoked;

Unruly Cattle to be properly secured on pain of fine and payment of damages.

What are to be considered unruly Cattle.

Division fences to be erected and kept in repair.

One or more Pounds to be erected in each Town, within two months after publication of this law.

Height of Inclosure.

Penalty for neglecting to erect Pound.

maner the owners shall take all due care to secure them from all damage upon the penalty of paying a ffine of ffive shillings each person for their neglect, besides the owners of such cattle and swine shall make good the damage that any person shall sustain by them, and it is to be understood, that all swine and cattle which shall breack in leape over or otherwise make their way through any fences which is judged safety by the viewers of fences, shall be counted unruly.

An order to cause men to doe (work) at all fences.

31. It is ordereen, that all persons shall set up and repaire all their division fences according to their share in all home lotts in each Towne except any neighbours otherwise condition and agree togedder and for which all persons shall pay the same penalty for insufficient fence, and the like is provided touching all ffences abroad in out ffields, according to a mans proportion, or as any person shall agree with others.

An order against Pound breack.

32. Itt is ordereen and enacted by the authority aforesaid, to bee a good secure Pound made, kept and maintained in each Towne with a lock key and staple, and if there be occasion for more pounds than one in any Towne required as before, and the said pound or pounds shall be fittted within two monts time after publication hereof, each Pound is to be sixe foot in hiegt and otherwise sufficient and strong to secure all unruly Swine and Cattle that may trets-passe in any man's inclosed land breaking in fields or the like without a keeper and in case of night (neglect) each Towne shall pay a ffine of fforty shillings, but it is notwithstanding provideen, that a man may release his or their Cattle by relieven

paying the Pound keeper a head and
 engaging to satisfie such damage as shall be made
 justly to appeare that the same Cattle or Swine have
 done, but whosoever shall break the pound and take
 out any Swine or Cattle each man shall pay for every
 offence of pound breack a fine of tenne Pounds and
 all Cattle and Swine pounders as aforesaid and after
 24 hours shall be provideen with competent flood
 and water by those who pound them while they con-
 tinue in holes.

Impounded
Cattle may
be released
on paying
fees and
giving
security for
damages.

Pound
breakers
to pay a fine
of £10.

An order about Public rates.

33. It is ordereen, that all Publique rates shall be
 Raysan, leavyeen and payd according to the Inhabit-
 ans heads appropriation lands, cattle & Swine, al
 male heads from sixteen years old and upwards shall
 be rateen at 20 pound value, horses of 4 yeares all
 at 4 pound, of 3 years at three pound, of 2 years at
 2 pound, of a year all at 20 sh— oxen of 5 years at
 5 £, of 4 years 4 pound, of 3 years at 3 pound, of 2
 years at 2 £ of 1 year at 20 shillings—cowes of 4
 year all 3 pound 10 sh. of 3 years 3 pound, of two
 year 2 pound, of one year at 20 sh. All swine above
 a year old rated at 20 s. Sheep of a year at 10 sh.
 goats 10 sh. Land and medoe at 5 shillings each
 acran. Every person is oblidged to give in all &
 wholly there estates as aforesaid unto the Clarke of
 each Towne, When they are required unto by any
 magistrates of their respective Towne, and no person
 shall hide or conseall any part of their estate upon
 the penalty of fforfeiting all that shall be concealed,
 one halfe whereof shall be for the Informer.

Public rates
to be levied
on

Males
over sixteen
years old,
Horses,

Oxen,

Cows,

Swine,

Sheep, and

Lands.

Return of
estates to be
made to
Town
Clerk.

Penalty for
false re-
turns.

An order for Valation of grain & provision.

34. Itt is ordered that all publique rates shall be
 paid in corne and provisions at the prises ffollowing
 viz: Winter wheat at 5s the Bush. Summer wheat

Public
rates to be
paid in
grain or
provisions.

Prices of
such arti-
cles.

at 4sh. 6p. rye at 4, peas at 3s. and Indian pork (corn) at 3s the Bush. Pork at 3 pence the lb. and beefe at 2 pence Tallow and butter at six pence a pound.

Act about a Treasurer.

Public
Treasurer
appointed.

36 (*sic.*) Be it enacted that Mr. *Jacob Melyn* shall be the Country Treasurer until another person be chosen and placed in that office and the said Treasurer is to receive all the publique rates, fines &c. into his possession, of which he is obliged to keep an exact true account and to pay all such reall debts, which are properly belonging to the Cuntree, to discharge which debts are to be payd by virtue of an order of Mr. *Ogden* the Schout and not otherwise, and the Schout and Treasurer are to examine all such accounts and debts which shall att any time be brought in and presented, and the Schout and Secretary are to audite the Cuntrys account in the treasurers hands when there shall be occasion.

His Duties.

Public
debts to be
paid on the
order of the
Schout, who
with the
Treasurer,
is to audit
public
accounts.

Public cred-
itors to
bring in
their
accounts
within ten
days, and to
prove the
same, on
pain of
losing the
debt.

Magistrates
to certify
accounts,
but the
Auditors
may pay or
reject
them.

37. It is further ordered whereas many complaints have been made, that the Cuntry stands indebted to sundry persons, that what person or persons the Cuntry is justly owing and indebted unto shall within ten days after publication hereof bring or sent in their accounts in every Towne unto the Magistrates of their respective Towne and who-soever shall ffaile soe toe doe shall loos the money which is due unto them, and all the said creditors ar required to prove and make sufficiently appeare the said debts to be due before the said Magistrates, and they the said Magistrates are to certifie to the Schout, when and upon what ground the said debts whear created and the Schout and Treasurer may except or reject the said debts.

Returns of
estates to be
made

38. It is enacted, that the magistrates in each Towne doe cause their Inhabitans to bring in to the

Clarke of every Towne the account of their estates according to an act in that case provided within then days after publication hereof, and the said Clarkes in each respective Towne are to deliever the said account unto their Magistrates who are to send the Summe to tall of every Townes estate brought in as aforesaid unto the Secretary.

within ten days to Town Clerk, who is to deliver them to the Magistrates, who are to transmit the sum total of each Town's estate to the Secretary.

39. It is ordered that the Secretary's sallery this year in consideration of what hee doeth for the Publicque, shall be twenty pounds which is to be paid by the Treasurer when he receives money ffrom the Cuntry.

Salary of the Secretary.

40. It is enacted by the said authority that *Elizabeth Towne** shall be the place & chiffe seat of Judges ffor this Scout-ship, and upon all occasions for all Assemblies & Courts or Committees. It shall be the place of meeting, sitting, consulting and managing the publique affaires ffor the cuntrie.

Elizabeth-town declared to be the Chief Seat of the District.

An order for the Committé.

41. Itt is enacteen, there shall be a Committe holden at *Eliesabeth Towne* the theiren tuesday of every next ensuing, the quorum of this Committé shall be one of the Magistrates of each Towne in this Scout-ship, and Mr. *John Ogden* Schout shall (be) president thereof and all actions of debt and damage as alsoe criminal cases to the value of twenty pounds shall be tryed and desiedeen without appeal by this Court, & all summons for this Court shall be served ten days before the Court and declarations entred, that defendands may take out coppies in convenient time. The ffees of this court is as voloweth

District Court to be composed of at least one Magistrate from each Town, to sit at *Elizabeth-town* every third Tuesday in the month (?) at which the Schout to preside, and to have jurisdiction in cases of £20, without appeal.

* "Each Towne" are the words in the MS., but this is evidently an error of the transcriber.

Fees of District Court.		sh
	Writing each warrant,	01. 00
	Sapenes,	00. 06
	Serving each,	00. 06
	Entring each action,	05. 00
	Tryall of d°,	12. 00
	Entring the Judgment,	03. 06
	To the Steebo each action,	01. 00
	Witnesses each,	01. 00
	or more if occasion,	
	Attorney fees,	05.

An Order for Towne Courts.

Town
Courts
established,

To decide
cases of £5,
without
appeal.

42. It is ordereen that Courts shall be holden in every Towne in perticular when the magistrates of any Towne shall see cause to appoint which Court (shall) have power, to try decide and pas judgment upon all actions to the vallow of five pounds without appeal.

The fees of the said Court shall be

Fees of Town Courts.		sh
	Warrands,	01. 00
	Sapenas,	00. 06
	Entring each action,	02. 06
	Tryal of d°,	06. 00
	Entring the judgment,	01. 08
	Stebo for each action,	01. 00
	Evidence day,	01. 00
	Attorney fees,	02. 06

By order of the Schout and the Magistrates of
After Coll. Nov. 18, 1673.

S. HOPKINS, *Secr.*

Schout,
Treasurer
and Secretary
to
petition for
privileges
and redress
of griev-
ances.

43. It is agreed and concludeen upon the authority above, and it is ordered that the Schout, the Treasurer and Secretary shall frame, draw and (present) to his Hon^r the Governour a petition or petitions for

any privileges for the Cuntry and for the removing of any inconveniences or grievances.

¶ order as aforesaid

SAM. HOPKINS, *Secret.*

30^t January, 1674. The Governor-General having read and considered the petition of *John Ogden*, Schout at *Achter Col*, requesting in substance: First the Governor General's ratification of some Ordinances enacted by the Magistrates, according to the copies thereof delivered in

Order on
petition for
ratification
of the pre-
ceding
Laws.

It is Ordered: The petitioner is directed to have the enacted Ordinances translated into the Dutch language, when they will be examined, and if found suitable, ratified. *N. Y. Col. MSS. XXIII. 202, 203.*

NOTE.—The preceding Laws are printed according to the transcript made by Mr. *Vanderkemp*, the original being missing. *Elizabethtown, Woodbridge, Shrewsbury, Newark, Piscataway and Middleton*, in *New Jersey*, constituted the District of *Achter Col*. TR.

Of the Governor General and Council of New Netherland further prohibiting the entertainment of Strangers, and forbidding intercourse or correspondence with the people of New England. *Passed 12 December, 1673.*

[*N. Y. Col. MSS. XXIII. 173.*]

WHEREAS it is found by experience that, notwithstanding the previously published Ordinance and Edicts, many Strangers, yea enemies of this State, attempt to come within this government without having previously obtained any consent or passport, and have even presumed to show themselves within this city of *New Orange*; also that many Inhabitants of this Province, losing sight of and forgetting their Oath of Allegiance, presume still daily to correspond, and exchange letters with the Inhabitants of the neighboring colonies of *New*

Preamble.

England and other enemies of this State, whence nothing else can result but great prejudice and loss to this Province, and it is, accordingly, necessary that seasonable provision be made therein,

Strangers
and all
others who
have not
taken the
oath of
allegiance,
to quit the
Province
within
twenty-four
hours.

Therefore, the Governor General of *New Netherland*, by and with the advice of his Council, renewing the aforesaid Ordinances and Edicts enacted on that subject, have deemed it highly necessary strictly to order and command that all Strangers and others, of what nation or quality soever they may be, who have not as yet bound themselves by Oath and promise of fealty to the present Supreme government of this Province and have not been received by it as good subjects, do within the space of four and twenty hours from the publication hereof depart from out this Province of *New Netherland*, and further interdicting and forbidding any person, not being actually an inhabitant and subject of this government, from coming within this government without first having obtained due license and passport to that end, on pain and penalty that the contraveners shall not be considered other than open enemies and spies of this State, and consequently be arbitrarily punished as an example to others. And to the end that they may be the more easily discovered and found out, all Inhabitants of this Province are interdicted and forbidden from henceforth harboring or lodging any strangers over night in their houses or dwellings unless they have previously given due communication thereof to their officer or Magistrate before sundown, under the penalty set forth in the former Edict.

No persons
to come into
the Province
without
permission,
on pain of
being considered
Spies, and
punished
accordingly.

No
Strangers
to be har-
bored over
night, un-
less re-
ported to
the Magis-
trate.

No Corres-
pondence to
be held with
the *New
England*
Colonies
and other
public
enemies,
and no sup-
plies to be

Furthermore the Inhabitants of this Province are strictly interdicted and forbidden from this day forward from holding any correspondence with the neighboring Colonies of *New England* and all others actual enemies of our State, much less afford them

any supplies of any description on pain of forfeiting the goods and double the value thereof, likewise from exchanging any letters of what nature soever they may be, without having obtained previous special consent thereto. Therefore all messengers, skippers, travelers, together with all others whom these may in any wise concern, are most expressly forbidden to take charge of, much less to deliver, any letters coming from the enemy's places or going thither, but immediately on their arrival to deliver them into the Secretary's office here in order to be duly examined, on pain of being fined One hundred guilders in Beaver, to be paid by the receiver as well as by the deliverer of each letter which contrary to the tenor hereof shall be exchanged or delivered.

furnished them, on pain of Confiscation of the goods.

Letters to or from places belonging to the enemy to be delivered into the Secretary's Office on pain of 100 guilders, to be paid by the receiver and deliverer of such letters.

And finally, all officers, justices and magistrates of this Province are ordered and commanded to be careful that these presents be promptly put into execution, and the contraveners properly punished.

Done, *Fort William Hendrick*, this 12th December, 1673.

(Signed,)

A. COLVE.

(Undersigned,)

N. BAYARD, *Secretary*.

ORDINANCE

Of the Governor General and Council of New Netherland prohibiting the exportation of provisions and other articles, and directing the laying in at New Orange of supplies for Six or Eight months. *Passed 22 December, 1673.*

[N. Y. Col. MSS. XXIII. 181.]

Preamble.

WHEREAS it is found that some persons are, contrary to the Edict issued on the exportation of provisions and other goods, dated 12th instant, exporting a large quantity of provisions, the Governor and Council of *New Netherland* have therefore thought fit to prohibit and forbid, until further explanation of said Edict, the exportation from this city from this day forth of all provisions and other articles except so much as each of the inhabitants of this Province residing on the *Flat land*, shall have need of for their families and no more. Further, the well disposed inhabitants of this city are ordered and commanded from this day forward, to begin to lay in a supply of necessary provisions for their families for six or eight consecutive months, commencing next April. Let every one be warned hereby.

Exportation of provisions, etc., from New Orange, prohibited.

Citizens to lay in six or eight months' supplies.

Dated *Fort Willem Hendrick*, 22^d X^{ber}, 1673.

ORDINANCE

Of the Governor General of New Netherland for the preservation and security of the Fortifications of New Orange. *Passed 27 December, 1673.*

[N. Y. Col. MSS. XXIII. 187.]

WHEREAS the fortifications of this city of *New Orange* have, at great and excessive expense, trouble and labor to the citizens and inhabitants, been for the most part brought to perfection, and it is therefore necessary that some orders be given for their preservation and the greater security of this city; therefore, the Governor General of *New Netherland* hath deemed it requisite to enact the following orders and to make them known by publication to the Burghers:

Preamble.

First. From this day forward the Burgher guard of this city shall be posted and commence at the beat of the drum, about half an hour before sunset, when the city soldiers then to mount guard shall parade before the City Hall of this city, on pain of paying the fine formerly affixed.

Burgher guard of *New Orange* to be posted half an hour before sunset.

Item, the city gate shall be closed by the Town Major and his accompanying men at sundown, and be again opened in like form at sunrise.

City gate to be closed between sundown and sunrise.

Item, the Burghers and inhabitants of this city and all others, of what quality soever they may be, the guard alone excepted, are strictly interdicted and forbidden to attempt between sunset and sunrise in any wise going on the walls, bastions or batteries of this city, on pain of corporal punishment.

No person to go on the fortifications between sunset and sunrise; or,

Item, all and every, be they who they may, are most strictly interdicted and forbidden, on pain of death, to presume to enter or leave this city by land, by any other means, way or manner than solely through the ordinary city gate.

On pain of death, to enter or quit the city by land except by the city gate.

And finally, whereas it is found that the Hogs which are kept in great numbers here in this

Hogs not to be allowed to go on the fortifications, on pain of forfeiture and double the value thereof.

city at large in the public streets, have done much damage from time to time to earthen fortifications, and that the same will again inevitably happen here to the erected works, every one who keeps any Hogs within this city, is therefore ordered and commanded to be careful that their Hogs shall not go to, in or on the walls, bastions, curtains or batteries, on forfeiture of said Hogs and double the value thereof, to be applied one-half to the Informer and the other half to the officer who shall levy the execution. Let all and every be hereby warned and take heed against loss.

Dated *Fort Willem Hendrick* this 27th X^{ber}, 1673.

By order of the Governor General of *New Netherland*.

(Signed,) N. BAYARD, *Secretary*.

This was proclaimed and affixed this day.

ORDINANCE

Of the Governor General and Council of New Netherland prescribing the Duties and Powers of the Court of the City of New Orange. Passed 15 January, 1674.

[N. Y. Col. MSS. XXIII. 196.]

Schout and Magistrates of *New Orange* to maintain the Reformed Religion agreeably to the Synod of *Dort*.

1st The Schout and Magistrates, each in his quality, shall take care that the Reformed Christian Religion conformable to the Synod of *Dordrecht* shall be maintained, without suffering any other Sects attempting any thing contrary thereto.

Schout to attend and preside at meetings of the Burgomasters and Schepens, unless another person be appointed. When Schout acts as Public prosecutor he shall not

2. The Schout shall be present at all Meetings and preside there, unless the Honorable Governor or some person appointed by him be present who then shall preside, when the Schout shall rank next below the youngest acting Burgomaster. But whensoever the Schout acts as Prosecutor on behalf of Justice or otherwise, having made his complaint, he shall

then rise up and absent himself from the Bench during the deciding of the case.

sit on the Bench.

3. All matters appertaining to the Police, Security, and Peace of the Inhabitants, also to Justice between man and man, shall be determined by final Judgment by the Schout, Burgomasters and Schepens aforesaid to the amount of Fifty Beavers and under, but in all cases exceeding that sum, each one shall be at liberty to appeal to the Governor General and Council here.

Court to decide finally civil actions to the amount of fifty Beavers; actions above that amount appealable to the Governor and Council.

4 All criminal offenses which shall be committed within this City and the Jurisdiction thereof, shall be amenable to the judicature of said Schout, Burgomasters and Schepens, who shall have power to judge and sentence the same even unto death inclusive; provided, and on condition, that no sentence of corporal punishment shall be executed unless the approval of the Governor General and Council shall be first sought and obtained therefor.

Jurisdiction of the Court in Criminal cases to extend to Felonies punishable by Death, but no sentence inflicting corporal punishment to be executed until approved by the Governor and Council.

5. The Court shall be convoked by the presiding Burgomaster who shall, the night before, make the same known to Capt. *Willem Knyff* (who is hereby provisionally qualified and authorized to be present at and preside over the Court in the name and on the behalf of the Governor), and so forth to the remaining Schout, Burgomasters and Schepens.

Mode of convoking the meetings of the Schout, Burgomaster and Schepens, and

6. All motions shall be put by the first Burgomaster, whose proposition being made and submitted for consideration, the Commissioner there presiding in the name of the Governor, shall first vote there, and so afterward the remaining Magistrates, each according to his rank; and the votes being collected, it shall then be concluded according to plurality. But if it happen that the votes are equal, the President shall then have power to decide by his vote, in which case, those of the contrary opinion as well as those of the minority, may register their opinions on the

Of transacting business at such Meetings.

President to have the casting vote. Opinions of the minority to be recorded, but not made public.

Minutes, but not publish the same in any manner out of the Court on pain of arbitrary correction.

Senior Burgomaster to be president of the Board for six months, then to be succeeded by the next in rank, etc., but this change to be made quarterly during the current year.

7. The Burgomasters shall change rank every half year, wherein the oldest shall first occupy the place of President and the next shall follow him ; but during this current year the change shall take place every four months, since three Burgomasters are appointed for this year.

Court to hold regular sessions on days to be previously appointed.

8. The Schout, Burgomasters and Schepens shall hold their Session and Court Meeting as often as the same shall be necessary, on condition of previously appointing regular days therefor.

Schout, Burgomaster, and Schepens empowered to enact ordinances.

9. The Schout, Burgomasters and Schepens shall have power to enact and, with the approbation of the Governor, to publish and affix Statutes, Ordinances and Placards for the Peace, Quiet and Advantage of this City and the inhabitants thereof within their district, provided that the same do not in any wise conflict, but agree, as much as possible, with the Laws and Statutes of our Fatherland.

Not conflicting with the Laws of Fatherland;

To enforce Laws and orders of the Executive government;

10. Said Schout, Burgomasters and Schepens shall be bound rigidly to observe and cause to be observed the Edicts and Ordinances of the Chief Magistracy, and not to suffer any thing to be done contrary thereto, but proceed against the Contraveners according to the tenor thereof; and further promptly execute such orders as the Governor General shall send them from time to time.

To acknowledge and maintain the Sovereignty of the States General and Prince of Orange, and

11. The Schout, Burgomaster and Schepens shall be also bound to acknowledge their High Mightinesses the Lords States General of the *United Netherlands* and His Serene Highness the Lord Prince of *Orange*, as their Sovereign Rulers, and to maintain their High Jurisdiction, Right and Domain in this Country.

To elect inferior officers, except their Secretary.

12. The election of all inferior officers and servants in the employ of said Schout, Burgomasters and

Schepens shall, with the sole exception of the Secretary, be made and confirmed by themselves.

13. The Schout shall execute all judgments of the Burgomasters and Schepens, without relaxing any, unless with the advice of the Court, also take good care that the jurisdiction under his authority shall be cleansed of all Vagabonds, Whore-houses, Gambling houses and such impurities.

Schout to execute judgments of the Court, and to abate nuisances.

14. The Schout shall receive all fines imposed during his time, provided they do not exceed yearly the sum of Twelve hundred Guilders Wampum value, which having received he shall enjoy the just half of all the other fines, on condition that he presume neither directly nor indirectly to compound with any criminals, but leave them to the judgment of the Magistrates.

Fees of the Schout.

15. The Schout, Burgomasters and Schepens aforesaid shall convoke an Assembly on the 11th day of the month of August, being eight days before the election of New Magistrates, and in presence of the Commissioner to be qualified for that purpose by the Hon^{ble} Governor General, nominate a double number of the best qualified, honestest and wealthiest persons, and only such as are of the Reformed Christian Religion, or at least well affected toward it, as Schout, Burgomasters and Schepens aforesaid, which nomination shall be handed and presented folded and sealed, on the same day, to his Honor; from which nomination the election shall then be made by his Honor on the 17th day of the month of August, with continuation of some of the old Magistrates, in case his Honor shall deem the same necessary.

Time and Mode of electing new Magistrates.

Their qualifications.

Done, *Fort Willem Hendrick* the 15th January, 1674.

By order of the Hon^{ble} Governor General of *New Netherland*.

(Signed,)

N. BAYARD, *Secret^y*.

ORDINANCE

Of the Governor General of New Netherland further prohibiting the sale of Strong Liquor to Soldiers in garrison at New Orange. *Passed 24 January, 1674.*

[N. Y. Col. MSS. XXIII. 202.]

Preamble.

WHEREAS it is found by daily experience that, notwithstanding previously issued Ordinances and Edicts, some inhabitants of this City still presume to sell strong drink to the Soldiers and Matrosses in the public service here in *Fort William Hendrick*, and on board the ships of War, whence great mischiefs arise; Therefore the Governor General of *New Netherland* hath thought proper, renewing and enlarging the previous Edicts on this subject enacted, strictly to interdict all persons, of what quality soever they may be, after the publication hereof, from selling, bartering, giving on credit, or making a present to any of the said Soldiers or Matrosses of any strong liquor, much less to receive on pawn or to buy any clothing, arms, ammunition or other material therefor; and whosoever is found contravening these shall not only not receive any satisfaction for his delivered Wares, but, moreover, pay a fine of One hundred guilders in Beaver for each time, and the Officers whom these may concern are recommended and commanded to take care that these be put into execution and the violators thereof be duly prosecuted.

Sale or gift of Strong Liquors to Soldiers, and taking on pledge, or purchasing, their clothing, arms or accoutrements, prohibited.

Penalty.

Done, *Fort William Hendrick*, this 24 January, 1674.

ORDINANCE

Of the Governor General of New Netherland authorizing the imposing of a Tax for the payment of the Debt of the city of New Orange, and appointing Commissioners to assess the same. *Passed 1 February, 1674.*

[N. Y. Col. MSS. XXIII. 206.]

Preamble.

WHEREAS the Burgomasters and Schepens of the city of *New Orange*, have made known to me by petition that, in consequence of the excessive expenses incurred by them in the fortification of this City, they owe a considerable sum of money, and that they are daily troubled and applied to by their creditors for payment; requesting that some expedient be found and invented for the payment and discharge of those expenses already incurred, and yet to be incurred for completing said fortifications, which request of theirs being found consistent with equity, and taking its necessity into serious consideration, I find that for the present no means can be enacted or discovered more reasonable, fitter or more equitable than to raise the moneys by form of a tax on the wealthiest and most affluent inhabitants, as is practiced in Fatherland, in such and similar circumstances. Therefore have I deemed it necessary to Ordain that an assessed tax be levied on the estate and means, without any exception, of all the inhabitants of this city of *New Orange*, those alone being exempted whose capital shall be estimated not to exceed the sum of One thousand guilders Wampum value, and in order that said assessment may be effected in the tenderest and fairest manner, I have resolved, that it be made by six indifferent persons, and to that end have commissioned and appointed, do hereby commission and appoint, for the supreme government *Mr. Cornelis Steenwyck* and Secretary *Nicolas Bayard*, and for the commonalty, *Mr. Cornelis van Ruyven*,

Tax on the estates of Citizens of *New Orange* worth over 1,000 guilders, authorized.

Names of Commissioners to value such estates.

and Mr. *Olof Stevensen van Cortlant*, who with the two Deputies to be commissioned by the Magistrates from their body are authorized to effect said valuation in manner as aforesaid, and render me a written report thereof.

Done, *Fort Willem Hendrick*, this 1st February, 1674.

ORDINANCE

Of the Governor General and Council of New Netherland prohibiting the use of any other than Amsterdam Weights and Measures. Passed 20 February, 1674.

[N. Y. Col. MSS. XXIII. 212.]

Preamble.

THE Governor General and Council of *New Netherland*, being informed that previous to the date hereof divers sorts of Measures and Weights have been in use in this City, whereby the good Inhabitants are liable to be seriously defrauded and wronged; therefore the Governor General and Council have thought it necessary to interdict and forbid all Merchants, Traders, Shopkeepers and others who vend or sell any thing by the ell, measure or weight, from making use within this City of any other than the real *Amsterdam* Measure and Weight; and in order that such may be done, all Merchants, Shopkeepers and Inhabitants of this City are ordered and commanded to have their measures, ells and weights stamped within fourteen days from the date hereof by the sworn Sealer, to be appointed by the Worshipful Court of this City, on pain and fine of Twenty-five guilders, Beaver currency, for each unsealed Weight or Measure which will be used after that date by any Merchants, traders or inhabitants, and the officers whom these may concern are strictly ordered to be careful that this be particularly observed and duly executed.

No Weights or Measures except those of *Amsterdam* to be used in *New-Orange*.

Weights and Measures in use to be stamped by the City Sealer.

Penalty.

Done, *Fort William Hendrick*, the 20 February, 1674.

ORDINANCE

Of the Governor General of New Netherland calling on the Militia of the Dutch Towns to repair to New Orange on the first notice.
Passed 13 March, 1674.

[N. Y. Col. MSS. XXIII. 222.]

THE Governor General of *New Netherland* : To all those who shall see these presents or hear them read, Greeting, makes known :

Whereas the fortifications of the city of *New Orange*, are, by the good zeal and industry of its Burghers, so far completed as to be now on the eve of perfection, when this City will be in such a state of defense that it will be capable (under God) of resisting all attacks of any enemies which might be expected to come hither ; nevertheless, considering that in such case it would not be possible to defend all the surrounding villages and out places of this Province, but that their safety must depend alone on the preservation of said City, as previous experience hath clearly made manifest ; therefore have I deemed it necessary hereby, strictly to order and to command all out people of the Dutch nation, dwelling in the respective circumjacent towns, and on the *Flat land*, that they repair to the aforesaid city of *New Orange* without any delay, provided with proper hand and side arms, on the first notice they shall receive of the enemy's approach, or even of the coming of more than one ship at the same time, whether it be with the Prince's flag or otherwise, on penalty that all who will be found negligent therein, shall be declared traitors and perjurers, and consequently be proceeded against as enemies, or be punished with death and confiscation of all their goods, as an example to others ; and all Schouts, Magistrates and Militia officers of the respective towns to whom these shall be transmitted, are ordered and commanded to make

Preamble.

Inhabitants of the Dutch towns adjacent to *New Orange* to repair armed to that city on notice of the approach of the enemy.

Penalty.

Order to be published in the several Towns.

known this our order without any delay, in their respective towns and the dependencies thereof, by publishing and posting the same, to the end that no man plead ignorance in the premises, and furthermore take care that this our order be duly observed and executed according to the precise tenor thereof.

Done, *Fort Willem Hendrick*, this 13th March, 1674.

(Signed,)

A. COLVE.

By order of the Hon^{ble} the Governor General of *N. Netherland*.

(Signed,)

N. BAYARD, *Secretary*.

The above Proclamation is transmitted to the Schouts and Magistrates of the towns of *Midwout, Amesfordt, Breuckelen, Utrecht, Boswyck, Haerlem, Fordham, Bergen*.

ORDINANCE

Of the Governor General of New Netherland forbidding inhabitants of New Orange leaving, or passing the night outside, the City without permission, or corresponding with the enemy. *Passed 16 March, 1674.*

[N. Y. Col. MSS. XXIII. 294.]

THE Governor General of *New Netherland*: To all those who shall see these presents or hear them read, Greeting, makes known:

Preamble.

Whereas the fortifications of this city *New Orange* are, through the good zeal and industry of its citizens, so far advanced that they will now soon be brought to such perfection and posture of defense, as to be, under God, capable of resistance and defense against the attacks of any enemies who might be expected, nevertheless it being considered that the preservation of the entire Province, is for the most part dependent on the preservation and security of this place, therefore have I at this present

conjuncture, for its better security to call on and order all the out people of the Dutch nation in the circumjacent towns, and on the *Flat land*, to repair to this City with their respective companies, on the first notice of the approach of any enemy, and to stand by their colors, as they have all promised to do; therefore have I, in like manner, deemed it essentially necessary, all and every of the Burghers, Free-men (*Poorters*) and inhabitants of this city, *New Orange*, women and young children only excepted, strictly to interdict and forbid, without exception of what rank soever he may be, to presume to depart hence to any other place, or to pass the night out of this City without special consent from their Magistrates and officers, much less to absent themselves from within this City, on the arrival of any enemies, or directly or indirectly to correspond with the enemy on pain of death and the confiscation of all their goods; and those of the Court of this city aforesaid are hereby ordered and instructed to communicate these presents to their inhabitants, to the end that no man plead ignorance in the premises.

Done, *Fort Willem Hendrick*, this 16th March, 1674

(Signed,) A. COLVE.

Inhabitants of *New Orange*, women and children excepted, not to leave, or pass the night outside the city, without permission.

Persons absenting themselves from the city on the approach of, or corresponding with, the enemy, to be punished by death and the confiscation of property.

ORDINANCE

Of the Governor General and Council of New Netherland authorizing
a Loan to defray certain expenses incurred by the Government.
Passed 17 March, 1674.

[N. Y. Col. MSS. XXIII. 225.]

Preamble.

WHEREAS, it is deemed of the highest necessity by the Governor General and Council of *New Netherland*, at this conjuncture, that the fortifications already erected and still required to be constructed on this Island *Manhatans*, for the security of this city and Province of *New Netherland*, should now be brought in a short time to a wished-for end, which it is not possible to effect in a proper manner unless some means to that end be devised and furnished, from which the expenses of said fortification already incurred and to be hereafter incurred, may be defrayed and paid, to which end the Court of this city also hath made divers applications and petitions; therefore the Governor General and Council of *New Netherland* have resolved and ordered. that said money shall be furnished and advanced as a loan by the most affluent inhabitants of this city. or such of them whose capital will, by the valuation made by the Commissioners appointed for that purpose on the 17th February last, exceed the sum of Four thousand guilders, Wampum value, hereby ordering and commanding all and every, the said persons, to furnish and advance by way of a loan, for the completion of the aforesaid fortifications, to the person to be for that purpose appointed, the hundredth penny of the capital at which each of them was assessed and entered at said valuation, and such in good merchantable Beaver or Wheat, at Wampum price, which furnished and advanced moneys of theirs shall be reimbursed, returned and paid from the extraordinary Duty imposed the 16th October of last year. on

Citizens of
Nie Orange,
whose es-
tates exceed
in value
4,000 guild-
ers.

To loan the
hundredth
penny of
the assessed
value of
their prop-
erty.

Loan to be
repaid from
proceeds of
certain
Duties.

exported Beavers and Peltries and Imported duffles, blankets, powder, lead, guns, wines, brandies, distilled liquors and rum; which Duty is resolved and ordered to be continued and imposed until the time said advanced moneys will be effectually returned and paid, and no longer; for such is deemed to be necessary for the public good.

Duties to be continued until Loan be paid.

Done, *Fort Willem Hendrick*, this 17th March, 1674.

(Signed,)

ANTONY COLVE.

By order of the Governor General and Council of *N. Netherland*.

(Signed,)

N. BAYARD, *Secretary*.

ORDINANCE

Of the Governor General of New Netherland against the running at large of Swine, &c., in New Orange. *Passed 16 April, 1674.*

[N. Y. Col. MSS. XXIII. 225.]

WHEREAS daily experience hath shewn that notwithstanding previously published Ordinances and Edicts, serious damage is done to the fortifications of this city by Cattle and particularly by Hogs which run and are kept in herds along the public streets, and also cause great stench and filth within this City, which being infected therewith serious sickness is engendered in consequence; to prevent and obviate which as much as possible, I have therefore thought it necessary to interdict and forbid, three days after the publication hereof, the running of any Hogs, be they big or little, within this city along the public streets, but they shall run and be confined in inclosed and fenced places; also the allowing of Horses or Cows to feed within the walls of this city, or to go along the public streets without a person to drive them to and from pasture, under the penalty of the forfeiture of the Hogs which will be found after

Preamble.

Running at large of Hogs.

Horses and Cows within the city of New Orange prohibited. Penalty.

If fine be
not paid
within 24
hours, the
animal to
be sold.

said time within this City's walls along the public streets; and in case any Horse or Cow shall be found along the public streets without a keeper, the owner thereof shall, for each time his cattle are taken up, be fined in a penalty of Twenty-five guilders, Wampum value, which fine, if not forthcoming and paid within 24 hours, shall be paid and made good from the proceeds of the sale of the Horse or Beast which shall be publicly sold by the Officer; and the Officer of this city is required and commanded to take care that these presents be duly executed without distinction of persons, as I have considered the same to be for the advantage of this city and its inhabitants.

Done, *Fort William Hendrick* this 16th April, 1674.

April, 1674. The Magistrates of *Middletown* (N. J.) passed an Ordinance forbidding all persons leaving said Town, unless in the public service, or unless they give security that they will return as soon as their business is performed.

This Ordinance was disapproved 19 April, 1674, by the Governor and Council, "as no person can be hindered changing his domicile within the Province, unless arrested pursuant to Law." *N. Y. Col. MSS.* XXIII. 238. Tr.

ORDINANCE

Of the Governor General and Council of New Netherland prohibiting
the shooting of Hogs on Manhattan Island without permission.
Passed 19 April, 1674.

[N. Y. Col. MSS. XXIII. 237.]

ON complaints made by the Magistrates of *New* Preamble.
Haerlem, that divers persons without their knowledge
had gone to shoot Hogs on this island, whereby they
have lost several Hogs, requesting that some order
may be made in the premises, therefore the Governor
General and Council have thought proper to interdict
and forbid any person, be he who he may, from now
henceforth going to shoot or catch Hogs in the public
woods on this island, unless he give previous notice
to and obtain the consent of the officer of this city
or of the Town of *New Haerlem*, under a penalty of
One hundred guilders, Wampum value; also, all per-
sons, actual inhabitants of this island only excepted,
from allowing any Cattle or Hogs to run and graze in
the public woods of this island without consent as
aforesaid; whereof the respective Courts shall have
to inform their inhabitants by posting up written
notices.

Shooting, or
catching of
Hogs, and
the running
and grazing
of Cattle or
Hogs, in the
Woods on
Manhattan
Island, with-
out permis-
sion, pro-
hibited, un-
der a pen-
alty of 100
guilders.

Dated as above.



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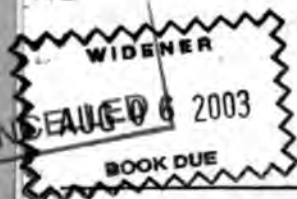


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